

Model Parish Constitution

MODEL PARISH CONSTITUTION

THE [COMMUNITY]/[PARISH] OF ORTHODOX CHRISTIANS IN THE TOWN OR CITY OF [INSERT NAME OF NEARBY TOWN OR CITY] AND THE ADJACENT COUNTIES OR [INSERT PATRONAL DESIGNATION]

CONSTITUTION

as adopted on [DATE]

ARTICLE I. NAME

The official name of the Parish, from the date of this Constitution, is “The Orthodox Parish of the [ADD NAME OF PARISH]”.

ARTICLE II. PARISH

This Parish is established in compliance with the requirements to become a Parish laid out in the Deanery Statutes of the Association of Parishes known as the Deanery of Great Britain and Ireland that forms part of the Archdiocese of Orthodox Parishes of Russian Tradition in Western Europe – Exarchate of the Ecumenical Patriarchate.

A copy of this Constitution, or any amendments to it, must be sent to the Bishop, and the Archdiocesan Council.

ARTICLE III. OBJECTS

The **Objects** are by such means as are charitable in law for the public benefit to advance the **Orthodox Christian Faith** within the [town or city of [INSERT NAME OF NEARBY TOWN OR CITY] and the

Model Parish Constitution

adjacent counties] / [United Kingdom of Great Britain and Northern Ireland], and, in particular but without limitation:

- i. to provide for Orthodox Christian liturgical prayer celebrated in accordance with the traditions of the Orthodox church. Provided that in doing so the Parish Advisory Council must ensure that, as far as practicable, the style of liturgical practice conforms to the Russian Orthodox tradition in Western Europe whilst having regard to:
 - a. the diversity of cultural and linguistic backgrounds represented in the congregation; and
 - b. the practice and custom of the Parish as it has developed from its foundation, within the norms of the Archdiocese.
- ii. to promote the teaching of the Orthodox Christian Faith through sermons, lectures, discussion groups, catechism classes and publications and through theological or other schools or conferences;
- iii. to make possible the reception into the Orthodox Christian Faith of all those who freely decide and sincerely desire to adopt the Orthodox Christian Faith and to live in accordance with its teaching;
- iv. to promote the practice of the Orthodox Christian Faith through the organisation of youth groups, study group seminars and other spiritual, cultural and educational activities;
- v. to give an opportunity for Members of the Parish community to share with the Parish Priest in the apostolate of the Parish, within the church, so as to assist the Parish Priest in forming and implementing policies which affect the life and work of the Parish; and
- vi. to provide a channel of communication for the opinions and proposals of the Members of the Parish community, and between the various groups working in the Parish.

ARTICLE IV. POWERS

The Parish has the following powers, which are exercisable only in furthering the Objects:

- i. to promote or carry out research;
- ii. to provide advice;
- iii. to publish or distribute information;
- iv. to co-operate with other bodies;
- v. to support, administer or set up other charities;

Model Parish Constitution

- vi. to establish charitable trusts for any particular purposes of the Parish, and generally to undertake and execute any charitable trust which may lawfully be undertaken by the Parish and may be conducive to its Objects;
- vii. to raise funds (but not by means of Taxable Trading) and in its discretion to disclaim any particular contribution; provided that any funds raised shall be transferred to the Parish Property Trust;
- viii. to do anything else within the law which promotes or helps to promote the Objects.

ARTICLE V. PARISH PROPERTY TRUST

The Parish will establish a separate Parish Property Trust (or if needed more than one), in accordance with the model trust deed provided by the Deanery, to which all significant and valuable property and money, (including items of liturgical use such as icons, vestments and plate etc) shall be entrusted.

The Parish shall thereby hold no significant money or items of value.

ARTICLE VI. MEMBERSHIP OF THE PARISH

QUALIFICATIONS FOR MEMBERSHIP OF THE PARISH

Any individual who meets the criteria for Membership of a Parish laid out from time to time in the Deanery Statutes may apply to the Parish Priest for inclusion on the Membership roll of the Parish.

In case of any doubt concerning the qualifications of an applicant for Membership, the decision of the Bishop on any canonical, pastoral or theological question shall be final.

CESSATION OF MEMBERSHIP

The name of any person may be removed from the Membership roll of the Parish in the following circumstances.

- i. if the Member ceases to meet the qualifications for Membership laid out in the Deanery Statutes;
- ii. if the Member so requests in Writing;
- iii. if the Member transfers his or her Membership to that of another Orthodox Christian parish or community;
- iv. if the Parish Priest and Parish Advisory Council by resolution terminates his/her Membership on the grounds that in their reasonable opinion the Member's continued Membership would be harmful to the Parish, whether because the Member concerned has ceased to uphold this Constitution or the canonical status of the Deanery or the Archdiocese, or has conducted him/herself in such a way as to bring the Parish into disrepute, or for other good reasons. The Parish Priest and Parish Advisory Council may only pass such a resolution after notifying the Member in Writing and considering the matter in the light of any Written representations which

Model Parish Constitution

the Member puts forward within 14 Clear Days after receiving notice and this resolution must be confirmed by the Bishop;

- v. if the Member has not participated in the sacramental life of the Parish for one Year without good reason. In which case the Parish Priest may give the Member concerned one Months' Written notice to his or her last known address that his or her name will be removed from the Membership roll of the Parish;
- vi. If the Member dies.

The Parish Advisory Council must keep a register of the Membership roll of the Parish, which contains all the Members of the Parish.

ARTICLE VII. PARISH MEETINGS

Parish Meetings are called on at least 21 Clear Days' Written notice to the Members specifying the business to be transacted. All Parish Meetings shall be announced at every Sunday liturgy or prayer service in the three weeks prior to the date of the meeting.

There is a quorum at a Parish Meeting if the number of Members personally present is at least twenty percent of the Members.

The Parish Priest or (if the Parish Priest is unable or unwilling to do so) some other Member elected by those present presides at a general meeting.

Except where otherwise provided by the Constitution, every issue at a Parish Meeting is determined by a simple majority of votes cast by the Members present in person.

Except for the chairman of the meeting, who has a casting vote, every Member present in person is entitled to one vote on every issue.

In consultation with the Parish Warden, and the Parish Secretary if any, the chairperson may invite other persons to attend and speak at the meeting, but any person so invited shall have no vote.

Decisions of the Parish Meeting shall be reported to the Bishop by the Parish Priest.

An Annual General Meeting (**AGM**) must be held in every Year.

At an AGM the Members:

- i. note the accounts of the Parish Property Trust for the previous financial Year and discuss the budget for the coming Year;
- ii. receive the report of the Parish Advisory Council officers on the Parish's activities since the previous AGM;

Model Parish Constitution

- iii. accept the retirement of those elected Members of the Parish Advisory Council who wish to retire or are retiring by rotation;
- iv. elect Members of the Parish Advisory Council to fill the vacancies arising;
- v. when necessary elect the Parish Warden to serve for a term specified by the bye-laws of the Parish. Such appointment only to be valid once confirmed by the Bishop;
- vi. discuss and determine any issues of policy or deal with any other business or pastoral issues put before them by the Parish Priest;
- vii. to elect voting representatives and an alternate or alternates to the general assembly of the Archdiocese;
- viii. give non-binding guidance and recommendations to the trustees of the Parish Property Trust concerning the acquisition, encumbrance, or disposal of property of whatever nature provided for the use of the Parish.

Any Parish Meeting which is not an AGM is an **Extraordinary General Meeting (EGM)**. An EGM may be called at any time by the Parish Advisory Council and must be called within 14 Clear Days after a Written request to the Parish Advisory Council from at least twenty percent of the Members of the Parish.

ARTICLE VIII. THE PARISH ADVISORY COUNCIL

The Parish Advisory Council, when complete, shall consist of at least four (of whom one is a priest or deacon). All the Members of the Parish Advisory Council must be Members of the Parish and, whilst holding office, be in Canonical Good Standing as Members of the Parish, supporting its work and upholding its Constitution and canonical status within the Orthodox church. Not more than one third of the number of the members of the Parish Advisory Council may be in the orders of bishop, priest or deacon.

The members of the Parish Advisory Council consist of:

- i. The Parish **Priest**, bishop, or deacon appointed by the Bishop who has sole responsibility from the Bishop for ordering the prayer life, liturgical worship and pastoral care of the Parish, Ex-Officio;
- ii. any assisting priests and deacons or other persons in minor orders, Ex-Officio;
- iii. the **Parish Warden** Ex-Officio, who, as senior lay officer of the Parish, shall under the guidance of the Parish Advisory Council, be responsible for the upkeep of property used by the Parish, the provision of supplies for church use, and full lay participation in all the practical aspects of Parish life and who shall liaise with the treasurer of the Parish Property Trust regarding the funding of the Parish;

Model Parish Constitution

- iv. the **Parish Secretary** (chosen by those elected as Parish Advisory Council officers) Ex-Officio, who shall keep the minutes of Parish Advisory Council meetings, a register of all members of the Parish, and be responsible for correspondence with the Parish Property Trust and other institutions of the Orthodox church, or any other Parish correspondence as directed by the Parish Priest or the Parish Advisory Council.
- v. a **welfare officer** (chosen by those elected as Parish Advisory Council officers, but who cannot be a member of the clergy) Ex-Officio, who shall ensure:
 - a. all children and young people and vulnerable adults, and those who work with them, are kept safe from harm;
 - b. that every child or vulnerable adult entrusted to the care of the Parish is never subjected to any form of abuse by Members; and
 - c. that key Members know the procedures to follow, in the event of any concern about a child's or vulnerable adult's welfare; or
 - d. if there are complaints/allegations of abuse made within or without the church organisation.
- vi. at least as many **lay representatives** as there are clergy, to ensure a good balance of lay representation with clergy and officers. The responsibilities of the lay representatives are:
 - a. to know about the activities and faith life of the Parish in order to represent it at the Deanery Laity and Clergy Meeting and in the general meetings of the Archdiocese; and
 - b. to plan and provide, under the direction of the Parish Priest, the charitable objectives of the Parish, including relief of poverty and other acts of charity and education of Members and the general public and otherwise further the apostolate of the Parish.

A Member of the Parish Advisory Council automatically ceases to hold office if he or she:

- i. ceases to be a Member;
- ii. a registered medical practitioner who is treating that person gives a Written opinion to the Parish stating that he or she has become physically or mentally incapable of acting as a member of the Parish Advisory Council and may remain so for three months;
- iii. (is absent without notice from three consecutive meetings of the Parish Advisory Council and is asked by a majority of the other members of the Parish Advisory Council to resign;
- iv. resigns by Written notice to the Parish Advisory Council (but only if at least two Members of the Parish Advisory Council will remain in office).

A retiring member of the Parish Advisory Council is entitled on Written request to an indemnity from the continuing Members of the Parish Advisory Council at the expense of the Parish in respect of any liabilities properly incurred while he or she held office.

Model Parish Constitution

A technical defect in the appointment of a member of the Parish Advisory Council of which the Parish Advisory Council are unaware at the time does not invalidate decisions taken at a meeting.

ARTICLE IX. PROCEEDINGS OF THE PARISH ADVISORY COUNCIL

The Parish Advisory Council must hold at least one meeting each Year.

A quorum at a meeting of the Parish Advisory Council is one half of the number of members of the Parish Advisory Council for the time being in office, with a minimum of three.

A meeting may be held either in person or by suitable electronic means agreed by the Parish Advisory Council in which all participants may communicate with all the other participants provided that at least one meeting every Year must be held by personal attendance of the members of the Parish Advisory Council.

The Parish Priest or (if the Parish Priest is unable or unwilling to do so) some other member of the Parish Advisory Council chosen by them presides at each meeting of the Parish Advisory Council.

Except where otherwise provided in this Constitution, every issue may be determined by a simple majority of the votes cast at a meeting of the Parish Advisory Council but a resolution which is in Writing and signed by all the members of the Parish Advisory Council is as valid as a resolution passed at a meeting. For this purpose the resolution may be contained in more than one document and will be treated as passed on the date of the last signature.

Every member of the Parish Advisory Council has one vote on each issue. In the event of an equality of votes the chairperson of the meeting has a second or casting vote.

A procedural defect of which the Parish Advisory Council are unaware at the time does not invalidate decisions taken at a meeting of the Parish Advisory Council.

ARTICLE X. ADMINISTRATIVE POWERS OF PARISH ADVISORY COUNCIL

The Parish Advisory Council has the following powers in the administration of the Parish:

- i. to delegate any of their functions to committees consisting of two or more persons appointed by them (but at least two members of every committee must be members of the Parish Advisory Council and all proceedings of committees must be reported promptly to the Parish Advisory Council);
- ii. to make standing orders consistent with this Constitution to govern proceedings at general meetings;
- iii. to make rules consistent with this Constitution to govern the proceedings and proceedings of the Parish Advisory Council and of committees;

Model Parish Constitution

- iv. to resolve or establish procedures to assist the resolution of disputes within the Parish, or failing that refer the matter to the Bishop;
- v. to make bye laws as required by and consistent with both the Deanery Statutes and the statutes of the Archdiocese, or any other council of the Orthodox church as applicable.

ARTICLE XI. PROPERTY AND FUNDS

No individual within a Parish may own or have sole control over items of worship or property that have been donated to the Parish. All donations shall be vested in one, or more of the Parish Property Trusts, a model trust deed for which shall be provided by the Deanery.

ARTICLE XII. USE OF ELECTRONIC COMMUNICATIONS

(1) To the Parish

Any member of the Parish or Parish Advisory Council may communicate electronically with the Parish to an address specified by the Parish for the purpose, so long as the communication is authenticated in a manner which is satisfactory to the Parish Advisory Council.

(3) By the Parish

- (a) Any member of the Parish or Parish Advisory Council, by providing the Parish with his or her email address or similar, is taken to have agreed to receive communications from the Parish in electronic form at that address, unless the member of the Parish or Parish Advisory Council has indicated to the Parish his or her unwillingness to receive such communications in that form.
- (b) The members of the Parish Advisory Council may, subject to compliance with any legal requirements, by means of publication on any Parish website -
 - (i) provide the members of the Parish with the notice Parish Meetings; and
 - (ii) give members of the Parish Advisory Council notice of their meetings in accordance with the Constitution.
- (c) The members of the Parish Advisory Council must :
 - (i) take reasonable steps to ensure that members of the Parish and Parish Advisory Council are promptly notified of the publication of any such notice or proposal;
 - (ii) send any such notice or proposal in hard copy form to any member of the Parish and Parish Advisory Council who has not consented to receive communications in electronic form.

Model Parish Constitution

ARTICLE XIII. AMENDMENTS

This Constitution and the name and the working name of the Parish may be amended at a meeting of the Members by a two thirds majority of the votes cast, but:

The Members must be given 21 Clear Days notice of the proposed amendments;

No amendment is valid if it would make a **Fundamental Change** to the Objects or to this clause or destroy the charitable status of the Parish.

All amendments must be approved by the Bishop before implementation.

ARTICLE XIV. ALTERATIONS OF THE CONSTITUTION AND DISSOLUTION

ALTERATIONS TO THE CONSTITUTION

(i) Subject to the following provisions of this clause, this Constitution may be altered by a resolution passed by not less than two thirds of the Members present and voting at a meeting held in accordance with Article VII. The notice of the meeting must include notice of the resolution, setting out the terms of the alteration proposed.

(ii) No amendment may be made to Article I (Name); Article III (Objects); the dissolution of the Parish clause below or this clause without the unanimous consent of the Members of the Parish present and voting at a meeting of the Parish under Article VII.

(ii) No amendment shall be effective without they have been sent to the Bishop and he has not objected to them within three months of the date on which the amendments were sent to him.

DISSOLUTION OF THE PARISH

If the Bishop, Parish Priest or the Parish Advisory Council decide that it is necessary or advisable to dissolve the Parish, they will call a meeting of all Members of the Parish. Notice (stating the terms of the proposed dissolution) must be given at least 21 days before the meeting. If the proposal is approved by two-thirds of those present and voting, the Parish shall be dissolved.

ARTICLE XV. INTERPRETATION

In this Constitution:

The following expressions have the following meanings:

‘**AGM**’ means the mandatory, annual Parish Meeting at which elections to the Parish Advisory Council take place;

Model Parish Constitution

‘**Archdiocese**’ means the Archdiocese of Orthodox parishes of Russian Tradition in Western Europe within the Exarchate of the Ecumenical Patriarchate, and its successors in title;

‘**Archdiocesan Council**’ means the council of the Archdiocese;

‘**Bishop**’ means the ruling bishop or archbishop of the Archdiocese, or in his absence the person exercising ecclesiastical jurisdiction as ordinary in that diocese;

‘**Canonical Good Standing**’ is determined by the Parish Priest in the first instance, and refers to participation in the sacraments of the church, upholding the traditions of the church and its teaching, and fulfilling duties of stewardship. Should there be any dispute over whether a person is in canonical good standing, then the Bishop’s decision on this point shall be final;

‘**Charities Act**’ means the Charities Act 2011, or any statutory re-enactment or modification of that provision;

‘**Clear Day**’ means 24 hours from midnight following the relevant event;

‘**Deanery**’ means The Association of Parishes of the Archdiocese in Britain and Ireland, known as the Exarchate UK Deanery, and its successors in title;

‘**Deanery Statutes**’ means the statutes from time to time of the Deanery;

‘**Deanery Laity and Clergy Meeting**’ means as defined in the Deanery Statutes;

‘**EGM**’ means any Parish Meeting which is not an AGM;

‘**Ex-Officio**’ means automatic appointment and removal as a Member of the Parish Advisory Council upon taking up or losing the offices listed;

‘**Fundamental Change**’ means such a change as would not have been within the reasonable contemplation of a person making a donation to the Parish;

‘**Member**’ and ‘**Membership**’ refer to membership of the Parish;

‘**Month**’ means calendar month;

‘**Nominee Company**’ means a corporate body registered or having a place of business in England and Wales;

‘**Objects**’ means the charitable objects set out in ARTICLE III.;

‘**Orthodox Christian Faith**’ means the faith of the One Holy Orthodox-Catholic and Apostolic church, rooted in the Holy Tradition, and taught by the Holy Scriptures, the Seven Ecumenical Councils and the Local and Provincial Councils, and by the Holy Fathers, and as preserved and taught by the Churches of the four ancient Patriarchates of Constantinople Jerusalem Antioch and Alexandria and by the Churches now in communion with any or all of them; and ‘**Orthodox**’ and ‘**Orthodox Christian**’ have similar meanings.

Model Parish Constitution

‘**Parish Advisory Council**’ means the parish advisory council as defined from time to time in the Deanery Statutes, which is the body responsible for administering the Parish and its property and funds. Members of the Parish Advisory Council shall be the Charity Trustees within the meaning prescribed by section 177 of the Charities Act;;

‘**Parish**’ means the charity comprised in these Constitution;

‘**Parish Meeting**’ means a general meeting of the Members of the Parish, and includes an AGM and an EGM;

‘**Parish Priest**’ means the representative of the Bishop in a Parish with authority in Writing (a decree) from the Bishop to conduct liturgical services on his behalf and to direct the pastoral care of the Parish and any associated communities. There may be more than one priest assigned to or serving in a Parish, but only one is the priest-in-charge, and it will be the priest-in-charge who shall be the Parish Priest. The Parish Priest is also referred to as the Presbyter in the Deanery Statutes;

‘**Parish Property Trust**’ means any property trust established by the Parish Advisory Council, in accordance with the model trust deed provided by the Deanery;

‘**Parish Secretary**’ means as defined in ARTICLE VIII.;

‘**Parish Warden**’ means as defined in ARTICLE VIII.;

‘**Taxable Trading**’ means carrying on a trade or business in such manner or on such a scale that some or all of the profits are subject to corporation tax;

‘**Written**’ or ‘**In Writing**’ means the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied, without limitation by, paper document, fax or e-mail; and

‘**Year**’ means calendar year.

References to an Act of Parliament are references to the Act as amended or re-enacted from time to time and to any subordinate legislation made under it.

ARTICLE XVI. TRANSITIONAL PROVISIONS

The persons entitled to hold office as the elected Members of the Parish Advisory Council until the first AGM after the date of this Constitution are the persons whose names and addresses are set out in the Schedule.

This Constitution was adopted at an Extraordinary General Meeting of the Parish on
DAY/MONTH/YEAR

ARTICLE XVII. SCHEDULE

Model Parish Constitution

Founding Members of the Parish.

DATE