

# BILL NO. 56

(as passed)



*2nd Session, 58th General Assembly  
Nova Scotia  
50 Elizabeth II, 2001*

Private Bill

## **Cathedral Church of the Diocese of Nova Scotia, An Act respecting the (amended)**

CHAPTER 26 OF THE ACTS OF 2001

The Honourable Jane S. Purves  
Halifax Citadel

[First Reading](#): May 17, 2001

Second Reading: May 18, 2001

[Third Reading](#): May 29, 2001

Royal Assent: June 1, 2001



# **An Act to Amend Chapter 208 of the Acts of 1906, An Act respecting the Cathedral Church of the Diocese of Nova Scotia**

Be it enacted by the Governor and Assembly as follows:

**1** Chapter 208 of the Acts of 1906, *An Act respecting the Cathedral Church of the Diocese of Nova Scotia*, is amended by adding immediately after Section 6 the following Sections:

6A In this Section and in Sections 6B, 7, 7A and 8,

- (a) "Bishop" means the Bishop of the Diocese;
- (b) "Cathedral" means the Cathedral Church of All Saints, Halifax;
- (c) "Congregation" means all those persons who are baptized Christians and regular communicants at the Cathedral who identify with the ministry of the Anglican Church of Canada;
- (d) "Congregational Council" means the Congregational Council of the Cathedral;
- (e) "Dean" means the Dean of the Diocese;
- (f) "Diocese" means the Diocese of Nova Scotia and Prince Edward Island.

6B (1) The Dean is normally the Rector of the Cathedral and as senior priest of the Diocese is directly responsible to the Bishop.

(2) The Committee of the Cathedral that was, immediately before the coming into force of this Section, known as the Committee of Consultation and Advice, is continued under the name Congregational Council.

(3) A reference in any enactment or document to the Committee of Consultation and Advice is, with regard to any subsequent matter, transaction or thing, a reference to the Congregational Council.

(4) The offices of Dean's Warden and Cathedral Warden are continued.

(5) The Dean's Warden shall be appointed by the Dean for such term as the Dean determines or, where a person appointed by the Bishop as Dean has ceased to be Dean and the Bishop has not appointed another person to the office of Dean, the Dean's Warden shall be appointed by that member of the clergy appointed by the Bishop to be in charge of the Cathedral for such term as that member of the clergy determines.

(6) The Cathedral Warden shall be chosen in accordance with by-laws made pursuant to Section 7 for such term as is determined by the by-laws.

**2** Section 7 of Chapter 208 is amended by

(a) striking out "clergyman" wherever it appears in clauses (e) and (f) and substituting in each case "member of the clergy"; and

(b) striking out all of that Section except clauses (e) and (f) and substituting the following:

7 As long as the Congregation provides for the maintenance of the Cathedral, including stipends for the active clerical staff, the Congregation may make by-laws for the conduct and management of the affairs and activities of

the Congregation and the Congregational Council, and, in particular, and without restricting the generality of the foregoing, may make by-laws

(a) respecting meetings of the Congregation, including by-laws prescribing the date and time of meetings, the manner in which meetings are called, what persons are entitled to notices of meetings what persons or bodies may call meetings, what persons may vote at meetings, what constitutes a quorum at a meeting, the order of business at a meeting and who presides over a meeting;

(b) prescribing the manner in which the Cathedral Warden is elected, the duties of the Cathedral Warden and the length of the term of office;

(c) with the consent of the Dean, prescribing the duties of the Dean's Warden;

(d) establishing offices, prescribing the manner in which persons are chosen to fill such offices, the duties of each office, the manner in which a person may resign the office and how a vacancy in an office is filled;

(da) designating those officers who are the principal lay officers of the Congregation;

(db) designating which persons may execute documents in the name of the corporation continued by Section 8;

(dc) respecting the Congregational Council, including, without restricting the generality of the foregoing, by-laws

(i) prescribing its composition,

(ii) prescribing the manner in which its members are chosen,

(iii) prescribing its duties and functions,

(iv) prescribing the terms of office of its members,

(v) prescribing the manner in which a person may resign from the Congregational Council,

(vi) prescribing the manner in which a vacancy in the membership of the Congregational Council is filled,

(vii) respecting meetings of the Congregational Council, including by-laws prescribing the frequency of the meetings, the manner in which the Chair and Vice-chair are chosen and what constitutes a quorum of the Congregational Council;

(dd) establishing subcommittees of the Congregational Council, prescribing a name for each subcommittee, the manner in which each subcommittee is constituted, the manner in which the Chair of each subcommittee is chosen and the duties and functions of each subcommittee;

(de) prescribing the manner in which the Congregational Council appoints or elects person to other bodies;

**3** Chapter 208 is further amended by adding immediately after Section 7 the following Section:

7A (1) For greater certainty, each of the by-laws adopted by the Congregation on February 21, 1999, as amended from time to time pursuant to Section 7, is hereby ratified and confirmed and binding until it is revoked pursuant to Section 7.

(2) Any by-law of the Congregation that was in force immediately before the coming into force of this Section is repealed.

**4** Section 8 of Chapter 208 is repealed and the following Section substituted:

8 The body corporate constituted by an Act of the Legislature under the name of "Congregation of All Saints'

Cathedral Halifax" is continued as a body corporate under the name "Congregation of the Cathedral Church of All Saints, Halifax" consisting of the Dean, the Dean's Warden, the Cathedral Warden and the other members of the Congregational Council and may

(a) receive grants of real and personal property for the use of the Congregation worshipping in the Cathedral and improve any such real property and receive rents therefrom for the like use;

(b) with the approval of the Bishop and the Dean and Chapter of the Cathedral Church of All Saints, Halifax, sell and convey such real and personal property;

(c) make regulations consistent with the laws of the Province, for the management of the temporalities of the Congregation and the due and orderly conduct of its affairs.

**5** Chapter 208 is further amended by striking out "All Saints Cathedral" wherever it appears in Chapter 208 and substituting in each case "Cathedral Church of All Saints".

**6 (1)** This Act has effect on and after February 21, 1999.

**(2)** Nothing in subsection (1) affects the rights acquired by any person from a judgment or order given in litigation or proceedings commenced on or before May 17, 2001.

