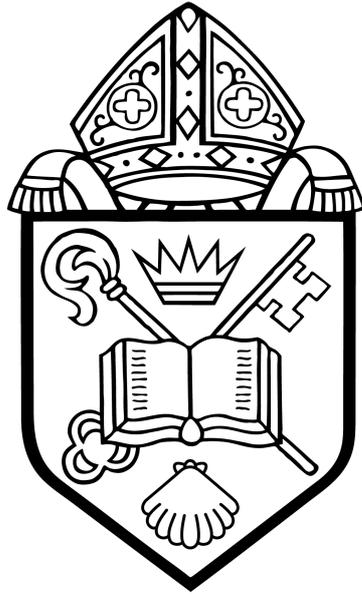


香 港 聖 公 會  
HONG KONG SHENG KUNG HUI



教省憲章  
Constitution of the Province

第七屆總議會  
The Seventh General Synod

2016年7月1日  
1 July 2016

# CONTENTS

Hong Kong Sheng Kung Hui Constitution

The Crest of the Province

PREAMBLE

PREFACE

PART ONE:

- Section 1 Name and Crest
- Section 2 Interpretation and Definitions
- Section 3 Doctrine
- Section 4 Public Worship
- Section 5 Ministry
- Section 6 Establishment of Dioceses within the Province
- Section 7 Relationship with other members of the Anglican Communion
- Section 8 Amendment of Part One

PART TWO:

- Section 9 Metropolitan Authority
- Section 10 The General Synod
- Section 11 House of Bishops
- Section 12 The Archbishop of the Province
- Section 13 Diocesan Bishop, Missionary Diocesan Bishops and Assistant Bishops
- Section 14 The Chancellor and the Registrar
- Section 15 The Standing Committee
- Section 16 The Diocesan Synods
- Section 17 Liturgical Matter
- Section 18 Declarations
- Section 19 Ecclesiastical Discipline
- Section 20 Board of Appeal
- Section 21 Property and Finance
- Section 22 Canons and Regulations
- Section 23 Amendment of Part Two

PART THREE: Transitional Provisions

- Section 24 Transition
- Section 25 From the Diocese of Hong Kong and Macao to the Province
- Section 26 Provisional Synod of the Three Dioceses
- Section 27 Provisional Council of the Province

## PREAMBLE

Whereas it is in accordance with the accepted traditions and usages of the Anglican Communion within the One Holy, Catholic and Apostolic Church that dioceses should be associated in Provinces.

And whereas it is desired that a provincial union of the Dioceses of Hong Kong Island, Eastern Kowloon and Western Kowloon, including the Missionary Area of Macau be established with the name of the Hong Kong Sheng Kung Hui, to be a community to exemplify in the world the good news of Jesus Christ, born out of God's love, and heralded in the power of the Holy Spirit.

And whereas the Diocesan Bishops of the Dioceses of Hong Kong Island, Eastern Kowloon and Western Kowloon have been authorised by their respective Diocesan Synods to consent and subscribe to the formation of a Province of the Hong Kong Sheng Kung Hui under the terms and provisions of this Constitution and have so consented and subscribed.

We, the Diocesan Bishops whose signatures are hereto subscribed, do solemnly decree and declare that as from the Twenty-fifth day of the month of October in the year of our Lord One Thousand Nine Hundred and Ninety-Eight the aforesaid Dioceses are by our act and determination united in the Hong Kong Sheng Kung Hui with the intention that its organisation be developed in accordance with this Constitution as a Province of the Anglican Church in communion with the Anglican Communion throughout the world.

sd. + Peter Kong-kit KWONG  
[Bishop of Diocese of Hong Kong Island]

sd. + Louis Tsan-sang TSUI  
[Bishop of Diocese of Eastern Kowloon]

sd. + Thomas Yee-po SOO  
[Bishop of Diocese of Western Kowloon]

## PREFACE

1. In the Anglican Communion, a province is a self-governing church composing of several dioceses operating under a common constitution and having one supreme legislative body. The Sheng Kung Hui Diocese of Hong Kong & Macao (“the Diocese”) was one of the few dioceses in the Anglican Communion which did not belong to a province.
2. In the 40th Diocesan Synod of the Diocese held in December 1991, it was resolved that steps be taken to expand the Diocese into a province, a fully autonomous member within the Anglican Communion, having independent ecclesiastical authority vested in the General Synod.
3. Hong Kong and Macau have gone through political and sovereign changes in the past and Hong Kong has, since 1st July, 1997, rejoined while Macau will in the near future rejoin and become part of China, in the form of Special Administrative Regions.
4. In the course of development of the Anglican Church in Hong Kong and Macau, we have witnessed the establishment of the Diocese of Victoria in 1849 under the See of Canterbury; the establishment of the Kong Yuet Diocese (港粵教區) under the Province of the Chung Hua Sheng Kung Hui in 1913; and the birth of the Diocese of Hong Kong and Macao in 1951, which was subsequently completely separated from the national Chung Hua Sheng Kung Hui.
5. At this critical moment in history, the Anglican community in Hong Kong and Macau have considered the past, consolidated the present and resolved that missionary works and services of the Church in Hong Kong and Macau would be greatly enhanced under the independent status of a province. In the new structure of a province, we shall take full responsibility for all our acts; have access to maximum resources; and be able to unify our best efforts in the building of the Kingdom of God in Hong Kong and Macau and thereby exalting the Grace of our Lord Jesus Christ, the Love of God and the fellowship of the Holy Spirit.

6. In so doing, we, the Province of the Hong Kong Sheng Kung Hui (香港聖公會), consisting of three dioceses, namely, Hong Kong Island, Eastern Kowloon and Western Kowloon, together with the Missionary Area of Macau, a part of the One, Holy, Catholic, and Apostolic Church of Jesus Christ, accept the Scriptures of the Old and the New Testaments and believe them to contain all things necessary to salvation and the ultimate standard of faith. We also profess the faith, as summed up in the Nicene Creed and the Apostle's Creed, hold to the Doctrine which Christ our Lord commanded, and to the Sacraments of Baptism and the Lord's Supper which He Himself ordained, and accept His Discipline, according to the Commandments of God. We further maintain the ministry of the Church which we have received through the historic Episcopacy in the three orders of Bishops, Priests, and Deacons, orders which have been in Christ's Church from the time of the Apostles.
7. In humble and earnest prayers, we beseech the faithfulness of God and that His Word shall be prosperously preached and practised among the people of Hong Kong, Macau and beyond.
8. By the Grace of God, this Province of the Hong Kong Sheng Kung Hui came into being in the year of our Lord One Thousand Nine Hundred and Ninety-Eight on the Twenty-fifth day of October.

# CONSTITUTION

## Part One

### **Section 1        Name and Crest**

- 1.1    There shall be established a Province known as the Hong Kong Sheng Kung Hui (香港聖公會).
- 1.2    The crest which is hereto annexed shall be the official Crest of the Province.

## **Section 2 Interpretation and Definitions**

- 2.1 In this Constitution unless the context or subject matter otherwise indicates:
- 2.1.1 “Archbishop” means the Archbishop of the Province duly elected and holding office under this Constitution;
  - 2.1.2 “Assistant Bishop” means an assistant bishop of a Diocese duly elected and holding office under this Constitution;
  - 2.1.3 “Bishop Co-adjutor” means the Bishop Co-adjutor elected and appointed pursuant to the provisions of the Canons;
  - 2.1.4 “Book of Common Prayer” means the book which is recognised for public worship for the Province and adopted and authorised for use under the provisions of this Constitution;
  - 2.1.5 “Board of Appeal” means Board of Appeal of the Province established in accordance with the provisions of this Constitution;
  - 2.1.6 “Canons” means the canons promulgated and approved by the General Synod relating to the ritual, ceremony, operation and discipline of the Church subject to the provisions of this Constitution;
  - 2.1.7 “Chancellor” means the Chancellor of the Province appointed in accordance with the provisions of this Constitution;
  - 2.1.8 “Church” means the Hong Kong Sheng Kung Hui (香港聖公會);
  - 2.1.9 “Clergy” means persons in holy order holding current licence issued by the Archbishop or a Diocesan Bishop;

- 2.1.10 “Communicant” means parishioner of a Parish of one of the Dioceses who is baptised and confirmed, and is regularly receiving Holy Communion;
- 2.1.11 “Constitution” means the Constitution;
- 2.1.12 “Diocesan Bishop” means the bishop of a Diocese duly elected and holding office under the Constitution;
- 2.1.13 “Diocese” means a diocese established or to be established under the Constitution;
- 2.1.14 “Diocesan Synod” means the Synod of a Diocese;
- 2.1.15 “General Secretary” means the General Secretary of the General Synod elected in accordance with the provisions of this Constitution.
- 2.1.16 “General Synod” means the Synod of the Province constituted in accordance with the provisions of this Constitution;
- 2.1.17 “Honorary Treasurer” means the Honorary Treasurer of the Province elected in accordance with the Constitution of the Province;
- 2.1.18 “House of Bishops” means the House of Bishops of the General Synod consisting of the Archbishop, Diocesan Bishops, Missionary Diocesan Bishops and Assistant Bishops elected in accordance with the provisions hereinafter set out;
- 2.1.19 “House of Clergy” means the composition of clerical representatives of each Diocese and Missionary Area in the General Synod;
- 2.1.20 “House of Laity” means the composition of lay representatives of each Diocese, Missionary Diocese and Missionary Area in the General Synod;

- 2.1.21 “Mission Church” means a congregation established as such by a Diocesan Bishop or Missionary Diocesan Bishop in accordance with the provisions of the Constitution of such a Diocese or Missionary Diocese or in case of a Missionary Area a congregation established as such by the Archbishop;
- 2.1.22 “Missionary Area” means a Missionary Area established under this Constitution;
- 2.1.23 “Missionary Diocese” means a Missionary Diocese established under this Constitution;
- 2.1.24 “Ordinance” includes any canon, constitution, statute, legislative measure or provision of the General Synod or Diocesan Synod or of any competent authority in or with respect to a Missionary Area;
- 2.1.25 “Parish” means any parochial district or similar pastoral division constituted by or under the constitution of a Diocese, a Missionary Diocese or a Missionary Area and if the context of this Constitution or Canons so requires or permits shall include mission churches;
- 2.1.26 “Province” means the Hong Kong Sheng Kung Hui (香港聖公會) incorporated under the Hong Kong Sheng Kung Hui Ordinance;
- 2.1.27 “Provincial Review Board” means the disciplinary body of the Province established under Section (18) of the Constitution;
- 2.1.28 “Registered Member of a Parish” means a Communicant who is eighteen (18) years of age or above whose name shall have been kept on the register of a Parish of one of the Dioceses, Missionary Diocese or Missionary Area in accordance with the Canons;
- 2.1.29 “Registrar” means the Registrar of the Province appointed in accordance with the provisions of this Constitution;
- 2.1.30 “Standing Committee” means the Standing Committee of the General Synod constituted and appointed under the Constitution.

- 2.2 If the context of this Constitution so requires or permits, words importing any gender shall include the other gender, words in the singular number shall include plural number and vice versa, and the expression “person” shall include organisations and/or corporations.
- 2.3 Amendment to the Constitution shall include rescission, variation, modification, substitution or addition of new provisions thereto.
- 2.4 Unless otherwise specifically provided in the context, any resolution means a simple majority of over half of the members present and voting and a special resolution means a majority of not less than two-thirds of the members present and voting.
- 2.5 Construction of Constitution in both official languages
  - 2.5.1 The English language text and the Chinese language text of the Constitution shall be equally authentic, and the Constitution shall be construed accordingly.
  - 2.5.2 Provisions of the Constitution are presumed to have the same meaning in each text.
  - 2.5.3 Where a comparison of the authentic text of a provision of the Constitution discloses a difference of meaning which the rules of interpretation ordinarily applicable do not resolve, the meaning which best reconciles the texts, having regard to the object and purposes of that provision of the Constitution, shall be adopted.
  - 2.5.4 Any discrepancy in the construction of the Constitution in both official languages which cannot be resolved in accordance with clause 2.5.3 shall be referred to the Archbishop for adjudication whose decision shall be final.

### **Section 3        Doctrine**

The following articles shall be the basis of faith, worship and Christian life of the Church:—

- 3.1 the Holy Scriptures of the Old and the New Testaments, as “containing all things necessary to salvation”, and as the rule and ultimate standard of faith;
- 3.2 the Apostles’ Creed, as baptismal symbol; and the Nicene Creed, as sufficient statement of Christian faith;
- 3.3 the two Sacraments ordained by Christ Himself—Baptism and Eucharist—ministered with unfailing use of Christ’s words of instruction and of the elements ordained by Him; and
- 3.4 the Historic Episcopacy, adapted in local methods of its administration to the needs of the Province, called by God into the unity of His Church.

**Section 4            Public Worship**

Public worship shall be conducted in accordance with the forms of services contained in the Book of Common Prayer or those as provided by the provisions of the Canons. Clergy shall only use such forms of services in conducting public worship.

## **Section 5            Ministry**

- 5.1    Ministry of the Province includes bishops, priests, deacons and lay persons.
- 5.2    Every bishop, priest, deacon and lay person licensed to minister in a Diocese, a Missionary Diocese or in a Missionary Area must accept and promise to obey the Constitution and Canons. He must subscribe to the Oath of Due Obedience or the Oath of Canonical Obedience, as the case may be, as provided for by Canons.
- 5.3    No one shall be accepted as lawful bishop, priest or deacon in the Province or allowed to do any of the duties of these orders unless ordained according to the Ordinal of the Province, or ordained by some other church with which the Church is in full communion.
- 5.4    Priests, deacons and lay persons who receive authority to minister in a Parish of a Diocese, a Missionary Diocese or in a Missionary Area must promise obedience under the Constitution and Canons to their Diocesan Bishop. They must promise to respect and be guided by the pastoral leadership of the Archbishop.

**Section 6            Establishment of Dioceses within the Province**

6.1     The Province shall consist of the following Dioceses and Missionary Area:

6.1.1     the Diocese of Hong Kong Island;

6.1.2     the Diocese of Eastern Kowloon;

6.1.3     the Diocese of Western Kowloon;

6.1.4     the Missionary Area of Macau;

and any diocese, missionary diocese, missionary area and episcopal jurisdictions which are and may in future be established in accordance with the provisions of the Constitution and Canons.

6.2     The boundaries of each constituent Diocese, Missionary Diocese and Missionary Area shall be defined by Canons. However, in no case shall the geographical extent of any two (2) Dioceses, Missionary Dioceses and Missionary Areas or episcopal jurisdictions overlap.

6.3     Every Diocese, Missionary Diocese, Missionary Area and episcopal jurisdiction within the Province shall state in its constitution and canons to which it is subject that it accedes to the Constitution and Canons and that it acknowledges the authority of the General Synod.

6.4     The constitution of every Diocese, Missionary Diocese and Missionary Area shall conform to the requirements and contain all the provisions as prescribed by the Canons. It shall not contravene any provision of the Constitution.

6.5     In every Diocese there shall be a Diocesan Synod which shall meet not less than once in every two (2) years and shall consist of:—

6.5.1     the Diocesan Bishop, one (1) or more Assistant Bishops, if any, and retired bishops working in an office of the Diocese;

- 6.5.2 all other Clergy (including retired Clergy working in an office of the Diocese) of the Diocese; and
  - 6.5.3 lay delegates from Parishes and organised Mission Churches, as the constitution and canons of the relevant Diocese shall prescribe.
- 6.6 In every Diocese there shall be a standing committee of the Diocese elected by the Diocesan Synod thereof. The standing committee of a Diocese shall be:
- 6.6.1 subject to the right of the Diocesan Bishop of the Diocese concerned to disallow the decision of the standing committee, be the highest executive authority of the Diocese;
  - 6.6.2 the advisor to the Diocesan Bishop of the Diocese concerned on all matters concerning that Diocese.

Rights and duties of the standing committee of a Diocese, except as provided in the Constitution and Canons, may be prescribed by the canons of that Diocese.

- 6.7 A new Diocese may be formed with the prior consent of the General Synod and under such conditions as the General Synod shall prescribe in the Constitution and Canons.
- 6.8 The General Synod may establish a missionary diocese in any area not included within the boundarise of any Diocese and elect a bishop therefor. In no case shall an organised Mission Church or Parish of the Province be outside the pastoral care or jurisdiction of a Diocesan Bishop.
- 6.9 The Missionary Area of Macau will be under the pastoral care and jurisdiction of the Archbishop who shall be entitled to appoint a priest-in-charge of the Missionary Area of Macau.

**Section 7            Relationship with other members of the Anglican Communion**

- 7.1     The Province is part of the Anglican Communion, a fellowship within the One, Holy, Catholic, and Apostolic Church, of those duly constituted dioceses, provinces, and regional churches in communion with the See of Canterbury, upholding and propagating the historic faith and order as set forth in the Book of Common Prayer (1662).
  
- 7.2     It shall be within the purview of the General Synod to deal with extra-provincial matters of concern, such as the following:
  - 7.2.1     Relationship of the Province with other provinces of the Anglican Communion, or with other international church bodies; and
  
  - 7.2.2     any bilateral or multi-lateral relationship involving any diocese and either another diocese within another province of the Anglican Communion or any other international church bodies.

**Section 8            Amendment of Part One**

8.1     This Part shall not be amended except in accordance with the provisions of this Section.

8.2     Section (3) hereof shall only be amended in accordance with the procedure set out as follows:—

A proposed amendment shall be proposed in writing by the House of Bishops at an ordinary general meeting of the General Synod; and if unanimously approved by the voting members, shall again be acted upon at the next ordinary general meeting of the General Synod; and if during the latter unanimously approved by the voting members, it shall become part of the Constitution.

8.3     The modes for amending other Sections of this Part of the Constitution in whole or in part shall be as follows:

The proposed amendment shall be proposed in writing at an ordinary general meeting of the General Synod; and, if approved by two-thirds majority of the voting members, shall again be acted upon at the next ordinary general meeting of the General Synod; and if during the latter approved by a two-thirds majority of each House, voting by houses, it shall become part of the Constitution.

8.4     If upon the first presentation of a proposed amendment it is approved, and a vote by two-thirds of the members of the General Synod determines that the said amendment is a matter of constitutional priority, then it shall be presented at a subsequent session of the same ordinary general meeting of the General Synod; and, if approved by a two-thirds majority of each House, voting by houses, it shall become part of the Constitution.

8.5     Each duly approved amendment of this Part of this Constitution, unless otherwise expressly stated therein, shall take effect on the first day of the ensuing calendar month after being approved by the Archbishop in accordance with Section (10.7.2).

8.6 Notwithstanding any provision to the contrary contained in this Constitution, the General Synod shall not, without the assent of the Diocesan Synod concerned, amend or permit the amendment of:

8.6.1 the constitution or boundaries of a Diocese or any of the powers, rights or duties of the synod of the Diocese, including the rights of the Diocese with regard to the election of its bishop;

8.6.2 the qualifications or mode of election of representatives to the Diocesan Synod.

**Part Two**

**Section 9          Metropolitan Authority**

The metropolitan authority of the Province shall be exercised by the General Synod.

## **Section 10      The General Synod**

### 10.1    Constitution of the Province

10.1.1    There shall be a unicameral synod which shall be the governing body of the Province and, subject to certain exceptions as provided in this Constitution, shall be the final authority in all matters affecting the life, order and canonical discipline of the Church.

10.1.2    The composition of the General Synod shall be as follows:

10.1.2.1    the House of Bishops which shall consist of the Archbishop, Diocesan Bishops, Missionary Diocesan Bishop and Assistant Bishops;

10.1.2.2    the House of Clergy which shall consist of all clerics of the Province who fulfill the following requirements at the commencement of an ordinary meeting of the General Synod in which they are representatives:

10.1.2.2.1    they have obtained a valid licence issued by the Archbishop or a Diocesan Bishop of the Province; and

10.1.2.2.2    they have served in any one or more Dioceses of the Province for not less than three (3) years;

10.1.2.3    the House of Laity which shall consist of thirty (30) lay delegates from and elected by each of the Dioceses of the Province, and five (5) delegates from and elected by the Missionary Area of Macau; provided that each lay delegate elected into the House of Laity shall at the time of his being elected:

10.1.2.3.1    have been a Registered Member of one or more Parishes of the Province for not less than seven years; and

10.1.2.3.2 have served as a member in the Diocesan Synod he belongs to for not less than one full term starting from the commencement of an ordinary meeting of the Diocesan Synod to the commencement of the ensuing ordinary meeting;

10.1.2.4 the Chancellor and the Registrar who shall be ex-officio members with no voting rights unless they are also members as defined in paragraphs 10.1.2.1, 10.1.2.2, or 10.1.2.3 herein.

## 10.2 Standing Orders

The General Synod shall adopt standing orders for the transaction of its business.

## 10.3 Office-bearers of the General Synod

10.3.1 Office-bearers of the General Synod shall be as follows:

10.3.1.1 the Chairman, who shall be the Archbishop;

10.3.1.2 the Honorary Treasurer;

10.3.1.3 the General Secretary of the General Synod.

The term of office of the office-bearers of the General Synod shall be for such period as the General Synod shall provide and, unless expressly provided, shall be until the next ordinary meeting of the General Synod immediately before their respective successors are elected.

10.3.2 The General Secretary of the General Synod shall be elected by the General Synod from amongst its members. His duties shall be:—

10.3.2.1 to assist the Archbishop with all official correspondence affecting the General Synod;

10.3.2.2 to keep minutes of the proceedings of the General Synod and of the Standing Committee;

- 10.3.2.3 to transact such business of the General Synod as is not within the duties of the Chancellor, the Registrar, or the Honorary Treasurer;
- 10.3.2.4 to undertake such duties as may be assigned to him by the Archbishop or the General Synod; and
- 10.3.2.5 to report to ordinary meeting of the General Synod the action taken in implementing the resolutions of the previous ordinary meeting.

10.3.3 The Honorary Treasurer shall be elected by the General Synod from amongst its members. He shall be responsible for the administration of finance of the Province. He shall advise the Archbishop and the Standing Committee on all matters concerning the management of financial matters of the Province.

#### 10.4 Frequency of Meetings

10.4.1 There shall be ordinary meetings of the General Synod which shall take place once in every three (3) years at such time and place as designated by the Standing Committee.

10.4.2 Extraordinary meetings of the General Synod may be called by the Archbishop or shall be called upon the request of the simple majority of the Diocesan Bishops, or of the Standing Committee. Whenever such extraordinary meeting shall be called, the business to be transacted shall be specified in the call and no other business shall be transacted except by the approval of not less than two-thirds of the delegates present and voting.

#### 10.5 Quorum of Meetings

A simple majority of the delegates of the House of Bishops, House of Clergy and the House of Laity present and entitled to seat, voice and vote, and representing the majority of the Dioceses, shall constitute quorum for the transaction of business of the General Synod.

## 10.6 Administration of the General Synod

The General Synod may establish commissions to study and to make recommendations to the General Synod on major subjects considered to be of continuing concern to the Province. The name, size or composition and functions of each such commissions shall be prescribed in Canons.

## 10.7 Resolutions of the General Synod

10.7.1 No resolution of the General Synod shall be implemented unless and until the acceptance and recognition of the Archbishop or his commissary has been previously obtained.

10.7.2 The Archbishop shall, within one month of the adjournment of the meeting of the General Synod, notify the General Secretary of the General Synod of his acceptance or otherwise.

10.7.3 Voting of the three Houses

During a meeting of the General Synod, at the request of the Chairman or of more than two-thirds of the members of any one House, the three Houses may deliberate or vote separately.

## 10.8 The authority of the General Synod

The General Synod may by canon or rule provide for:

10.8.1 the implementation of this Constitution;

10.8.2 the holding of the General Synod and the conduct of its businesses;

10.8.3 the meetings of the Standing Committee and of any other committees, boards or commissions appointed by the General Synod;

10.8.4 the sittings of the Provincial Review Board to hear and determine any disciplinary proceedings or disciplinary appeal questions or matters made or referred to it;

10.8.5 the maintenance of the registry of the Archbishop; and

- 10.8.6 the election or appointment of corporate trustees and the administration of affairs of the bodies corporate of the Province.

Provided that the General Synod may make any canon or rule imposing financial liability on any Diocese, Missionary Diocese or Missionary Area including costs, charges and expenses in or in connection with the conduct of affairs of any board institution or body set up by the General Synod and provided also that any financial liability accepted by a Diocese, Missionary Diocese or Missionary Area shall remain unless or until such canon is replaced by or under the provisions of this Constitution.

## 10.9 Records and Seal

- 10.9.1 10.9.1.1 The proceedings of the General Synod shall be duly recorded and be authenticated by the signature of the Chairman.
- 10.9.1.2 Every canon of the General Synod shall be printed in duplicate, and each duplicate shall be certified as correct by the chairman of the Standing Committee and the General Secretary of the General Synod, authenticated by the official seal, and filed in books.
- 10.9.2 10.9.2.1 The General Synod shall have an official seal, which shall be judicially noted. The seal shall not be used to authenticate any Canon, rule, resolution, instrument or document or any copy thereof except upon a resolution of the General Synod or of the Standing Committee and by and in the presence of the Archbishop or at least two members of the Standing Committee.
- 10.9.2.2 Any Canon, rule, resolution instrument or document authenticated by the official seal shall be admissible in evidence without further proof.

- 10.9.2.3 A document purporting to be a copy of any Canon, rule or resolution so authenticated, have been certified by at least two members of the Standing Committee as a true copy, shall be evidence of the Canon, rule, or resolution and be admissible as evidence without further proof.

## **Section 11      House of Bishops**

- 11.1 The House of Bishops shall consist of the Archbishop, all the incumbent Diocesan Bishops, all Bishop Co-adjutors, and all the incumbent Assistant Bishops. All members of the House of Bishops shall enjoy the same right to speak at all meetings of the House of Bishops, but only the Archbishop and all the incumbent Diocesan Bishops shall have the right to vote.
- 11.2 The Archbishop shall be the convenor of the House of Bishops and shall chair the meetings of the House of Bishops.
- 11.3 The House of Bishops is competent to interpret all matters concerning the preservation of the Church's doctrines, its life and worship in accordance with the Holy Scriptures, traditions of the Church, and the Constitution and Canons of the Province.
- 11.4 Deployment of clergy within the Province shall be a power vested in the House of Bishops to be exercised collectively.
- 11.5 The House of Bishops shall have power to make directions and guidelines concerning matters which are by Church tradition placed within the authority of the episcopate.
- 11.6 Meetings

The Archbishop may from time to time convene a meeting of the House of Bishops for the discharge of the functions assigned to them under this Constitution. Such a meeting may be convened at the initiative of the Archbishop or at the request of a Diocesan Bishop, and shall have power to regulate its own business; and:

- 11.6.1 the presence of a simple majority of the members of the House of Bishops shall be necessary to constitute a quorum for the meeting of the House of Bishops; and
- 11.6.2 a certificate signed by the Archbishop purporting to state a decision of such a meeting or the votes of its members shall be evidence of the matters so stated.

## **Section 12      Archbishop of the Province**

12.1    There shall be an Archbishop of the Province elected in accordance with provisions of this Constitution, Canons and regulations.

12.2    The Archbishop may serve contemporaneously as a Diocesan Bishop of any one of the Dioceses.

### 12.3    Jurisdiction of the Archbishop

12.3.1    The Archbishop shall have the authority of the chief executive officer of the Province and shall maintain an administrative office. The Archbishop may delegate any of the executive responsibilities to his executive staff.

12.3.2    The Archbishop shall be an ex-officio member of all committees, councils, boards and commissions, standing and specially appointed under any provision of this Constitution or of any Canon enacted by the General Synod, or under any resolution of the General Synod.

12.3.3    The Archbishop shall represent the Province in its relation to the rest of the Anglican Communion and otherwise, and on its behalf correspond with other archbishops.

### 12.4    Functions of the Archbishop

12.4.1    The Archbishop shall have all the powers and authorities conferred upon the Archbishop by this Constitution and by resolutions of the General Synod.

12.4.2    The Archbishop shall be Chairman of the General Synod.

### 12.5    Duties of the Archbishop

The Archbishop shall be the chief pastor of the Province and as such he shall be responsible for:

12.5.1    speaking in the name of the Church or the General Synod;

- 12.5.2 giving leadership in initiating and developing policy and strategy of the Church, including implementation of resolutions of the General Synod throughout the Church;
  - 12.5.3 representing the Province in its relationship with the rest of the Anglican Communion and with other churches, and on behalf of the Province, communicating with other primates;
  - 12.5.4 ordering for the consecration and installation of Diocesan Bishops when duly elected, and from time to time, assembling other bishops to meet with the new Diocesan Bishop;
  - 12.5.5 convening and presiding over meetings of the General Synod, the House of Bishops, and the Standing Committee;
  - 12.5.6 visiting every Diocese, Missionary Diocese and Missionary Area and holding pastoral consultations with the Bishops thereof;
  - 12.5.7 preaching the Word; and
  - 12.5.8 celebrating Sacraments.
- 12.6 Procedure for Election of an Archbishop
- 12.6.1 The Archbishop shall be elected in accordance with the provisions as prescribed in Canons.
  - 12.6.2 The election of the first Archbishop shall be in accordance with the arrangement as adopted by the Provisional Council as provided in Section 27 hereof.
- 12.7 Tenure of Office
- 12.7.1 Upon the installation of the Archbishop-elect, he shall hold office and exercise the duties and functions appertaining to the office of the Archbishop until the end of the calendar year when he shall attain the age of seventy (70) (such age being the age of retirement) or until he voluntarily resigns, or is incapacitated, or is removed therefrom, whichever shall be the earlier.

12.7.2 Notwithstanding the provision in 12.7.1 hereinabove, a retiring Archbishop shall remain in office until the Archbishop-elect is duly installed.

12.8 Absence of an Archbishop

During any vacancy in the office of the Archbishop or during his absence from the Province for a period exceeding thirty (30) days, the authorities, powers, rights and duties of the Archbishop under this Constitution shall be exercised by the most senior Diocesan Bishop of the Province at the time in the Province able and willing to act, seniority being determined by the date of consecration.

12.9 Incapacity of an Archbishop

12.9.1 When it appears to the Standing Committee that the Archbishop may be under an incapacity to act as set out herein, the Standing Committee may, by unanimous vote, require the Archbishop to present himself for examination by the professionals as provided herein within a specified time. If the Archbishop shall fail to comply with such request within the specified time, it shall be lawful for the Standing Committee to declare, by unanimous vote, that the Archbishop is under an incapacity to act. For the purpose of this Section, the Archbishop shall be disqualified from voting in the Standing Committee.

12.9.2 The incapacity of the Archbishop shall occur:

12.9.2.1 in the event of the Archbishop being precluded by illness from properly discharging his duties; such event shall be certified by no less than two medical practitioners licensed to practise in Hong Kong; or

12.9.2.2 in the event of the Archbishop being precluded by any other causes from discharging his duties; such event shall be certified by no less than two (2) independent and qualified professionals.

- 12.9.3 A certificate endorsed by no less than two (2) bishops of the Province on the incapacity of the Archbishop certified as such under sub-clause 12.9.2.1 or 12.9.2.2 hereof shall be sufficient evidence of such fact.
- 12.9.4 Upon the incapacity of the Archbishop, his authorities, powers, rights and duties shall be exercised by the most senior Diocesan Bishop of the Province at the time in the Province able and willing to act, seniority being determined by the date of consecration.
- 12.9.5 Upon the recovery of the Archbishop of his ability to discharge his duties, he shall be certified by the relevant professionals as such in the same manner as provided under sub-clause 12.9.2.1 or 12.9.2.2 and notify the Chairman of the Standing Committee in writing, whereupon the Archbishop shall resume his authority.
- 12.9.6 If the Archbishop shall continue to be under an incapacity to act for a period exceeding twelve (12) months, he shall be liable to be removed as hereinafter set out.

#### 12.10 Resignation of an Archbishop

The Archbishop may resign at any time by written notice to the Standing Committee. Such notice of resignation shall thereupon be submitted to the House of Bishops and shall only become effective if accepted by a majority of the members of the House of Bishops.

#### 12.11 Removal of an Archbishop

The Archbishop may be removed from office only on account of inability to perform the functions of his office, whether arising from or incapacity, or for misbehaviour or heresy. The procedure of removal shall be set out in Canons.

## 12.12 Vacancy of an Archbishop

Upon a vacancy being created by the death, resignation or removal of the Archbishop, his authorities, powers, rights and duties of under this Constitution shall be exercised by the most senior bishop of the Province at the time in the Province able and willing to act, seniority being determined by the date of consecration, provided that the Standing Committee shall proceed with all due diligence to arrange for the election of a new Archbishop.

**Section 13      Diocesan Bishops, Missionary Diocesan Bishops and Assistant Bishops**

13.1    Diocesan Bishops

There shall be a Bishop of each Diocese who shall be elected in accordance with the provisions in Canons.

13.2    Jurisdiction of Diocesan Bishops

13.2.1    A Diocesan Bishop shall confine the exercise of his office to his own Diocese, unless he is requested to perform episcopal acts in another Diocese by the ecclesiastical authority thereof, or unless he is authorised by the House of Bishops, or by the Archbishop by his direction, to act temporarily in case of need within any other Dioceses, Missionary Dioceses, Missionary Areas or any other territories not yet organised into a Diocese of the Province.

13.2.2    Such jurisdiction shall be exercised by the Diocesan Bishop himself, or by such person or persons to whom authority in that behalf shall have been formally committed by the Diocesan Bishop concerned.

13.3    Functions of Diocesan Bishops

Every Diocesan Bishop shall, within his Diocese, be the principal minister, and shall have the right, save in places and over persons exempted by law:—

13.3.1    of celebrating the rites of ordination and confirmation;

13.3.2    of conducting, ordering, controlling, and authorising all services in churches and chapels;

13.3.3    of granting a faculty or licence for all alterations, additions, removals, or repairs to the walls, fabric, ornaments, or furniture of the churches;

13.3.4    of consecrating new churches;

- 13.3.5 of instituting to all vacant benefices, whether of his own collation or of the presentation of others;
- 13.3.6 of admitting by licence to all other vacant ecclesiastical offices;
- 13.3.7 of holding visitations at times limited by law or custom to the end that he may get some good knowledge of the state, sufficiency, and ability of the and other persons whom he is to visit; and
- 13.3.8 of being chairman of the Diocesan Synod.

#### 13.4 Duties of Diocesan Bishops

- 13.4.1 Every Diocesan Bishop shall be chief pastor to all those within his Diocese, laity as well as, and their father in God; he shall teach and uphold sound and wholesome doctrine, and banish and drive away all erroneous and strange opinions; and, he shall, himself, be an example of righteous and godly living, and it shall be his duty to set forward and maintain quietness, love, and peace among all men.
- 13.4.2 Every Diocesan Bishop shall be faithful in admitting persons into the Holy Order and in celebrating the rite of confirmation as often and in as many places as shall be convenient, and shall provide, as much as in him lies, that in every place within his Diocese there shall be sufficient clergy to minister the Word and Sacraments to the people therein.
- 13.4.3 Every Diocesan Bishop shall correct and punish all such as be unquiet, disobedient, or criminous, within his Diocese, Missionary Diocese or Missionary Areas, according to such authority as he has by God's Word and is committed to him by the law.
- 13.4.4 Every Diocesan Bishop shall visit each congregation within his Diocese, Missionary Diocese or Missionary Areas at least once every two (2) years.
- 13.4.5 Every Diocesan Bishop shall keep a record of all his official acts, which record shall be the property of the Diocese, and shall be transmitted to his successor.

13.4.6 At every ordinary meeting of the Diocesan Synod the Diocesan Bishop shall make a statement of the affairs of the Diocese since the last ordinary meeting of the Diocesan Synod, including the number of persons confirmed, the names of those who have been ordained, the names of those who have been suspended or deposed from the ministry; the changes by death, removal, or otherwise, which have taken place amongst the clergy; and all matters tending to throw light upon the affairs of the Diocese.

### 13.5 Missionary Diocesan Bishop

13.5.1 Provisions herein applicable to the Diocesan Bishops shall be extended to regulate the office of Missionary Diocesan Bishop subject to appropriate adoptions as the context so requires or permits.

13.5.2 Provisions relating to election of the Diocesan Bishops shall be extended to regulate the election of Missionary Diocesan Bishops subject to the substitution of:

13.5.2.1 "Diocesan Synod" with "General Synod";

13.5.2.2 "Diocesan Standing Committee" with "Standing Committee of the General Synod";

13.5.2.3 "Diocesan Bishop" with "the Archbishop"; and

13.5.2.4 "Two houses of the Diocesan Synod" with "The three houses of the General Synod".

### 13.6 Assistant Bishop

13.6.1 A Diocesan Synod may, with the consent of its Diocesan Bishop and after receiving the endorsement of the standing committee, elect one or more Assistant Bishops. An Assistant Bishop shall be elected, consecrated and hold office under such conditions and limitations other than those provided in this Section as may be provided by the canons of the Diocesan Synod. He shall be eligible to be elected as Diocesan Bishop of any Diocese or as an Assistant Bishop of another Diocese.

- 13.6.2 No person appointed to the office of an Assistant Bishop in a Diocese shall be consecrated unless his appointment as to canonical fitness has been confirmed.
- 13.6.3 An Assistant Bishop shall be licensed by the Diocesan Bishop to undertake such work and perform such episcopal acts as shall be specified in such licence. The Diocesan Bishop may, with the approval of the Diocesan Synod or its standing committee, enlarge or diminish the scope of such licence from time to time.
- 13.6.4 The Assistant Bishop shall also undertake such other work and perform such other episcopal acts in any part of the Diocese as may from time to time be required or permitted by the Diocesan Bishop.
- 13.6.5 The powers and authorities granted to an Assistant Bishop shall in no way derogate the powers of the Diocesan Bishop to perform all episcopal and other acts at any time.
- 13.6.6 The Assistant Bishop shall be entitled to attend and speak at all meetings of the House of Bishops, but shall not be entitled to vote on any issue or election in the House of Bishops.
- 13.6.7 If the Diocesan Bishop of any Diocese in which any Assistant Bishop has been appointed shall cease to hold office, the licence of the Assistant Bishop shall be reviewed by the succeeding Diocesan Bishop of the Diocese within twelve (12) months of installation and may be amended or withdrawn. But no licence shall be withdrawn so as to terminate the appointment of an Assistant Bishop unless the succeeding Diocesan Bishop with the concurrence of the standing committee of that Diocese shall have sent to the Archbishop and to that Assistant Bishop within the said twelve (12) months written notice of the termination of the appointment as Assistant Bishop to take effect not earlier than twelve (12) months after receipt of such notice by the said Assistant Bishop, and unless also the Archbishop shall have been satisfied as to the provision made for the future of that Assistant Bishop.

- 13.6.8 An Assistant Bishop may retire or resign or be disqualified in the same manner as a Diocesan Bishop and Sections (13.7) to (13.8) shall apply *mutatis mutandis* to all Assistant Bishops.
- 13.6.9 Upon an Assistant Bishop ceasing to hold office by resignation, retirement or otherwise, the Diocesan Bishop shall submit to the standing committee of the Diocesan Synod the question of whether or not a new Assistant Bishop should be nominated before the next ensuing session of the Diocesan Synod. If the standing committee shall resolve to proceed, the Diocesan Bishop shall take the necessary steps for the nomination of a successor to such Assistant Bishop as hereinbefore provided. If the standing committee shall not resolve to proceed, then subject to any decision of the Diocesan Synod at its next ordinary meeting, the Diocesan Bishop shall forthwith after the conclusion of that session take the necessary steps as aforesaid for the election of a new Assistant Bishop.

### 13.7 Term of Office of Diocesan Bishops

Subject to the other provisions herein, every person who has been elected a Diocesan Bishop shall hold office until the end of the calendar year when he shall attain the age of seventy (70) (such age being the age of retirement) or unless he voluntarily resigns or is incapacitated or is removed therefrom.

### 13.8 Vacation of the Office of Diocesan Bishops

The office of a Diocesan Bishop shall be vacated if the Diocesan Bishop:

- 13.8.1 dies; or
- 13.8.2 becomes bankrupt or makes any arrangement or composition with his creditors generally; or
- 13.8.3 is convicted of any indictable offence and of which his conviction of which necessarily involves a finding that he acted fraudulently or dishonestly; or
- 13.8.4 becomes of unsound mind or is unable by reason of permanent cause of infirmity to discharge the duties of his office; or

- 13.8.5 shall for more than two (2) months absent himself from his Diocese or his official duties without notifying the standing committee of the Diocese; or
- 13.8.6 fails and/or refuses to perform and discharge any of his duties as a Diocesan Bishop faithfully and diligently as stipulated in this Constitution as shall from time to time be amended and supplemented or as directed by authority of the General Synod or the Diocesan Synod from time to time; or
- 13.8.7 shall be guilty of conduct unbecoming of a clergy; or
- 13.8.8 commits any act which is detrimental or harmful to the Church, the Diocese or any Parish therein.

Provided that the question of whether a Diocesan Bishop should be disqualified by reason of any of Sections (13.8.6), (13.8.7) and/or (13.8.8) shall be determined by a special resolution in the Diocesan Synod concerned.

#### 13.9 Retirement of Diocesan Bishops

Every Diocesan Bishop shall retire at the end of the calendar year when he shall attain the age of seventy (70).

#### 13.10 Resignation of Diocesan Bishops

If a Diocesan Bishop shall at any time desire to resign from his office, he shall send a written notice of such intended resignation to the Archbishop and the secretary of the standing committee of the Diocesan Synod specifying the reasons for his resignation and a date not less than three (3) months from the date of such notice on which he intends to retire from his office.

- 13.11 In the event of the see of a Diocese becoming vacant, the House of Bishops shall appoint a bishop, incumbent or retired, to serve as an Interim Bishop and oversee that Diocese until a new Diocesan Bishop is duly elected and installed.

## **Section 14      The Chancellor and the Registrar**

### 14.1    The Chancellor

14.1.1    The Chancellor shall be a lawyer qualified to practise in Hong Kong and a registered member of a parish of the Church. He shall be appointed by the Archbishop in consultation with the Standing Committee.

14.1.2    He shall undertake such duties which may be assigned to him by law, under the provisions of this Constitution, or by the General Synod or the Standing Committee.

14.1.3    He shall advise the Archbishop or the Province on all legal matters concerning the Province.

### 14.2    The Registrar

14.2.1    The Registrar shall be a lawyer qualified to practise in Hong Kong and a registered member of a parish of the Church. He shall be appointed by the Archbishop in consultation with the Standing Committee.

14.2.2    He shall undertake such duties which may be assigned to him by law, under provisions of this Constitution, or by the General Synod or the Standing Committee.

14.2.3    He shall preserve all deeds, leases or other legal documents pertaining to the Province.

14.3    The Chancellor and the Registrar shall hold office for such period of time as specified by the Archbishop.

14.4    The Archbishop may decide to appoint one person to assume the offices of Chancellor and Registrar.

## **Section 15      The Standing Committee**

### 15.1    Members of the Standing Committee

There shall be a Standing Committee of the General Synod which shall consist of the Archbishop, the Diocesan Bishops and the number of members as may be prescribed by the Canons which in any event shall not be less than ten (10).

### 15.2    Election and Appointment of Members

The members of the Standing Committee shall be elected or appointed and shall hold office as may be prescribed by the Canons.

### 15.3    Office-bearers of the Standing Committee

The Chairman, General Secretary of the General Synod and the Honorary Treasurer of Province shall be the office-bearers of the Standing Committee holding the same position thereof. The Standing Committee shall be responsible for appointing auditors of the Province.

### 15.4    Filling vacancies in the Standing Committee

A vacancy occurring in the Standing Committee shall be filled by co-option by the Standing Committee.

### 15.5    Term of Office

The term of office of members of the Standing Committee shall be until members of the Standing Committee of the next General Synod have been elected.

### 15.6    Functions and Powers

The Standing Committee shall perform the following functions and powers:

- 15.6.1    To carry out programmes and policies adopted by the General Synod and shall have charge of the unification, development, and implementation of the missionary, educational, and social work of the Province, and such other work as may be committed to it by the General Synod;

- 15.6.2 to exercise powers incidental to the carrying out of functions of the Standing Committee prescribed by this Constitution and all other powers conferred upon it by the Canons, and such powers as may be designated by the General Synod, and between sessions of the General Synod may initiate and develop such new work as it may deem necessary. It may, subject to provisions of this Constitution or by the Canons, enact by-laws for its own government and the government of its several departments;
  - 15.6.3 to submit to the General Synod a triennial budget, including the budget of the Province, and to determine any subsidy to any constituent Diocese, Missionary Diocese or Missionary Area, episcopal jurisdiction, or institution, as well as to generate funds within and outside of the Province;
  - 15.6.4 to set up special committees.
- 15.7 Seal, books and Records

The seal, books and records of the General Synod shall be in the care and control of the Standing Committee.

## **Section 16      The Diocesan Synods**

### 16.1 Establishment of the Diocesan Synods

A Diocesan Synod shall be established in each Diocese. The Diocesan Synod shall be the governing authority of the Diocese.

### 16.2 Jurisdiction of the Diocesan Synods

The jurisdiction of a Diocesan Synod shall be defined in the constitution and canons of the Diocese concerned.

### 16.3 Functions of the Diocesan Synods

The functions of a Diocese Synod shall be set out in the constitution and canons of the Diocese concerned.

### 16.4 Powers of the Diocesan Synods

The powers of a Diocese Synods shall be set out in the constitution and canons of the Diocese concerned.

### 16.5 Constitution and canons of a Diocese

16.5.1 The constitution and canons of a Diocese shall be adopted by the Diocesan Synod of the Diocese concerned.

16.5.2 No constitution or canons of a Diocese shall contravene any Constitution, Canon or Ordinances of the Province.

### 16.6 Purpose of the Diocesan Synods

The Diocesan Bishop shall convene the Diocesan Synod to discuss and decide diocesan management, planning, and all other matters relevant to the Diocese.

### 16.7 Relationship of the Diocesan and General Synods

The enactments and resolutions of the Diocesan Synods must be free of anything which contravenes the provisions of the Constitution and must accord with the decisions of the General Synod.

**Section 17 Liturgical Matter**

17.1 Forms of Public Worship

- 17.1.1 The doctrine contained in the Book of Common Prayer and Administration of the Sacraments and other rites and ceremonies of the Church according to the use of the Hong Kong Sheng Kung Hui shall be agreeable to the Word of God.
- 17.1.2 The authorised Book of Common Prayer of the Hong Kong Sheng Kung Hui shall be the book which was approved and adopted for use by the Diocese of Hong Kong and Macao before the formation of the Province and the same is hereby adopted and authorised for use throughout the Province.
- 17.1.3 The synod of a Diocese may, by canon, regulate the use of the Book of Common Prayer at services held in the Diocese.
- 17.1.4 The bishop of a Diocese may, upon request being submitted to him, authorise deviation from the Book of Common Prayer. However, nothing shall permit a deviation contravening a principle of doctrine or worship referred to in Sections 3 and 4 of the Constitution.

17.2 Approval of Orders of Service

- 17.2.1 It shall be lawful for the House of Bishops:
  - 17.2.1.1 to approve orders of services for use in the Province and to amend any approved order(s) of service;
  - 17.2.1.2 to approve the use of any such order(s) of service for a limited period, or without limit of period;

17.2.1.3 to extend the period of use of any such order(s) of service and to discontinue any such order(s) of service;

and any order of service or amendment thereof approved by the House of Bishops under this paragraph shall be such as in the opinion of the House of Bishops is neither contrary to, nor indicative of any departure from, the doctrine of the Church in any essential matter.

17.2.2 Any approval, amendment, continuance or discontinuance of any order(s) of service under paragraph 17.1 hereinabove shall not have effect unless the order(s) of service or the amendment, continuance or discontinuance thereof is finally approved by the House of Bishops with a majority of not less than two-thirds of those present and voting.

**Section 18      Declarations**

The form of:

- 18.1    Declarations on appointment of clergy and lay ministers;
- 18.2    Declarations by Members of the General Synod of the Province;
- 18.3    any other declaration for use in the Province.

shall be prescribed by Canons.

## **Section 19 Ecclesiastical Discipline**

### **19.1 Establishment of the Provincial Review Board**

The Provincial Review Board shall be established, to have and exercise jurisdiction of the authority of the General Synod over all members of the Church who shall have assented to the authority of the General Synod, in all matters relating to doctrine, the breach of any provision of this Constitution, constitution of any of the Dioceses, rules, regulations, canons, and statutes for the time being of the Church (whether made by or under the authority of the General Synod or any Diocesan Synod), or any of such provisions, rules, regulations, canons and statutes, and to the behaviour of and by any minister or office-bearer of the Province or the Diocese.

### **19.2 Composition of the Provincial Review Board**

19.2.1 The Chancellor shall be the convenor of the Provincial Review Board and shall preside over all its hearings.

19.2.2 The Archbishop shall appoint a fit person to act in place of the Chancellor in the event of the Chancellor not being able or willing to preside at any of the hearing of the Provincial Review Board.

19.2.3 There shall be established a Panel of Members of the Province Review Board by way of appointment by the Standing Committee consisting of no less than ten (10) members who must be either clergy or registered member of a parish of the Church.

19.2.4 Hearings of the Provincial Review Board shall take place in the presence of the Chancellor or his substitute appointed under sub-section (19.2.2) hereof and two (2) other members of the panel chosen by the Standing Committee.

### **19.3 Proceedings of the Provincial Review Board**

Proceedings and operation of the Provincial Review Board shall be regulated by the Canons.

**Section 20      Board of Appeal**

20.1    Composition and Jurisdiction

- 20.1.1    The Board of Appeal shall be constituted by a Diocesan Bishop appointed by the House of Bishops and four (4) members of the General Synod to be appointed by the Standing Committee.
- 20.1.2    The Diocesan Bishop so appointed shall be chairman of the Board of Appeal and shall preside over hearing before them.
- 20.1.3    The Board of Appeal shall hear and decide on appeals from the judgment or decree of the Provincial Review Board, and consider any matter that may be referred to the Board of Appeal by any Diocesan Synod within the Province.
- 20.1.4    In making the appointment, the Standing Committee shall:
  - 20.1.4.1    appoint two (2) of the members from the House of Clergy of the General Synod; and
  - 20.1.4.2    appoint two (2) of the members from the House of Laity of the General Synod. One of whom shall preferably be from the legal profession.
- 20.1.5    The provisions for procedures to be followed in the Board of Appeal and the enforcement of judgements and decrees made thereby shall be prescribed by the Canons.

## **Section 21      Property and Finance**

### **21.1    Titles of Landed Property**

21.1.1    The Province and its Dioceses, Missionary Dioceses, Missionary Areas, Parishes, schools, agencies and all other units within the Church shall not hold any landed property in their names or in the names of their nominees; but shall observe provisions herein for the holding of landed property and the management of their finance.

21.1.2    In accordance with the established practice of the Province, landed property of all Dioceses, Missionary Dioceses, Missionary Areas, Parishes, schools, agencies and units within the Church shall be registered with the statutory body in the name of either the Church Body of the Hong Kong Sheng Kung Hui, Foundation of Hong Kong Sheng Kung Hui, or the Charitable Association of Sheng Kung Hui (Macau) (Associacao de Beneficencia Sheng Kung Hui Macau) as the case may be.

### **21.2    The Church Body of the Hong Kong Sheng Kung Hui**

21.2.1    The Church Body of the Hong Kong Sheng Kung Hui is the corporate body established under the Church Body of the Hong Kong Sheng Kung Hui Ordinance (Ordinance No.92 of 1995).

21.2.2    Election of members of the Church Body of the Hong Kong Sheng Kung Hui shall be regulated by the Church Body of the Hong Kong Sheng Kung Hui Ordinance.

21.2.3    Operation of the Church Body of the Hong Kong Sheng Kung Hui shall be governed by its constitution and by-laws.

### **21.3    The Hong Kong Sheng Kung Hui Foundation**

21.3.1    The Hong Kong Sheng Kung Hui Foundation is the corporate body established under the Hong Kong Sheng Kung Hui Foundation Ordinance (Ordinance No. 93 of 1995).

- 21.3.2 Operation of the Hong Kong Sheng Kung Hui Foundation and the management of its property shall be governed by the Ordinance, its constitution and by-laws.
- 21.4 The Charitable Association of Sheng Kung Hui (Macau) (Associacao de Beneficencia Sheng Kung Hui Macau)
  - 21.4.1 The Charitable Association of Sheng Kung Hui (Macau) is the corporate body established in 1994 under the Civil Code in force (22869) in Macau.
  - 21.4.2 Operation of the Charitable Association of Sheng Kung Hui (Macau) and the management of its property shall be governed by its constitution and by-law.
- 21.5 Ownership of Property
  - 21.5.1 All property of the Province, save and except those belonging to the Foundation of Hong Kong Sheng Kung Hui or the Charitable Association of Sheng Kung Hui (Macau), shall vest with the Church Body of the Hong Kong Sheng Kung Hui and be managed by the executive committee of the Church Body of the Hong Kong Sheng Kung Hui.
  - 21.5.2 All landed property of the Dioceses, Missionary Dioceses, Missionary Areas, Parishes, schools, agencies and units within the Church shall vest with the Church Body of the Hong Kong Sheng Kung Hui and be dealt with and managed in the manner as prescribed in the Canons or regulations of the Province or the Church Body of the Hong Kong Sheng Kung Hui Ordinance.
  - 21.5.3 All land and premises required for use by Dioceses, Missionary Dioceses, Missionary Areas, Parishes, schools, agencies or units shall be subject to a licence to occupy such land and premises to be granted by the Church Body of the Hong Kong Sheng Kung Hui to the parties concerned for the purposes of operating the Dioceses, Missionary Dioceses, Missionary Areas, Parishes, schools, agencies or units concerned as the case may be; and shall be reverted to the Church Body of the Hong Kong Sheng Kung Hui upon cessation of the same being used for the particular purposes.

## 21.6 Finance of the Province

Every Diocese, Missionary Diocese and the Missionary Area of the Province shall make financial contribution to the Province in an amount to be decided from time to time by the Standing Committee after consultation with the Dioceses, Missionary Dioceses and Missionary Areas as a symbol of its support to the Province. The operating costs of the Province shall, as far as possible, come out of such contributions.

## 21.7 Budget and Control

21.7.1 A board known as the Provincial Finance Board shall be established.

21.7.2 The Provincial Finance Board shall consist of not less than five (5) members and such members shall be elected or appointed and hold office, and be removed therefrom, as prescribed by the Canons.

21.7.3 The Provincial Finance Board shall be responsible for all matters concerning the finance of the Province.

21.7.4 The Honorary Treasurer of the Province shall, not later than the first day of January of each year, submit a budget in respect of the financial year commencing next April to the Provincial Finance Board.

## 21.8 Finance of the Dioceses

Each Diocese, Missionary Diocese and the Missionary Area within this Province shall be responsible for raising funds sufficient to pay its own operating costs including the stipend of its Diocesan Bishop and Clergy.

## **Section 22      Canons and Regulations**

### **22.1    Authority to Make Canons**

Subject to the provisions of this Constitution, the General Synod may make Canons and Regulations relating to the order and good management of the Province including but not limited to canons in respect of ritual, ceremonial and disciplinary matters, and may take such steps as may be necessary or expedient in furtherance of union with other Christian communions.

### **22.2    Procedure for Making Canons**

Canon shall be made by resolution passed in accordance with the procedure particularly set out in the Standing Orders.

### **22.3    Authority to Make Regulations**

The General Synod may make regulations prescribing anything necessary or convenient for carrying out and giving effect to any Canon or for controlling and regulating the administration of its affairs, and in particular may make regulations prescribing:

- 22.3.1    the procedure for any election or appointment to be made by or under the authority of the General Synod to any office;
- 22.3.2    the authorities, powers, rights and duties of any officer, committee, board or commission of the General Synod;
- 22.3.3    The General Synod may regulate the conduct of its business under Standing Orders or otherwise as it may deem proper.

**Section 23      Amendment of Part Two**

- 23.1 This Part shall not be amended except in accordance with provisions of this Constitution.
- 23.2 Subject to the provisions hereinafter mentioned this Part of the Constitution may be amended subject to the following conditions:
  - 23.2.1 The proposed motion shall be submitted by leave of the General Synod, the three Houses thereof voting together.
  - 23.2.2 Motions amending the provisions of this Part of the Constitution shall only be adopted after it has been passed by an affirmative vote of at least two-thirds of the members of each House present and voting.
  - 23.2.3 Each duly adopted amendment of this Part of the Constitution shall take effect upon the same being approved and signed by the Archbishop in accordance with Section (10.7.2)

**Part Three**

**Transitional Provisions**

**Section 24      Transition**

- 24.1    The Province shall be established by the Parishers of the Diocese of Hong Kong and Macao in the manner hereinafter set out.
- 24.2    Provisions set out in this Part shall be the procedure in enabling the transition from the Diocese of Hong Kong and Macao to the establishment of the Province.

**Section 25      From the Diocese of Hong Kong and Macao to the Province**

- 25.1 Parishes and Mission Churches of the Diocese of Hong Kong and Macao shall be re-grouped into the Diocese of Hong Kong Island, the Diocese of Eastern Kowloon, the Diocese of Western Kowloon and the Missionary Area of Macau.
- 25.2 The Diocese of Hong Kong Island shall include the following Parishes and Mission Churches:—

Church of the Ascension  
Church of the Incarnation  
Discovery Bay Church  
Emmanuel Church  
Grace Church  
Holy Nativity Church  
St. James' Church  
St. John's Cathedral  
St. Luke's Church  
St. Mary's Church  
St. Matthew's Church  
St. Paul's Church  
St. Peter's Church, North Point  
St. Stephen's Church, Stanley  
St. Stephen's Church  
St. Timothy's Church

25.3 The Diocese of Eastern Kowloon shall include the following Parishes and Mission Churches:—

Calvary Church  
Christ Church  
Church of Good Shepherd  
Church of Our Saviour  
Church of the Holy Word  
Holy Carpenter Church  
Holy Spirit Church  
Holy Trinity Church  
Holy Wisdom Church  
Kindly Light Church  
Resurrection Church  
Shatin Church  
St. Barnabas' Church  
St. Mark's Church  
St. Titus' Church

25.4 The Diocese of Western Kowloon shall include the following Parishes and Mission Churches:—

All Saints' Church  
Chu Oi Church  
Crown of Thorns' Church  
Kei Oi Church  
St. Andrew's Church  
St. Joseph's Church  
St. Matthias' Church  
St. Peter's Church, Castle Peak  
St. Philip's Church  
St. Thomas' Church  
Tuen Mun Church

25.5 The Missionary Area of Macau shall consist of the following Parish and Mission Church:—

St. Mark's Church  
Morrison Chapel

**Section 26      Provisional Synod of the Three Dioceses**

The Bishop of the Diocese of Hong Kong and Macao shall constitute and convene the Provisional Synod of the three Dioceses for the purposes of:—

- 26.1 adopting the Diocesan constitutions and canons;
- 26.2 deciding on the tentative date of installation of the Diocesan Bishops (only applicable to the Provisional Diocese of Eastern Kowloon and the Provisional Diocese of Western Kowloon);
- 26.3 accepting the Constitution and Canons of the Province and to authorise its duly elected representatives to vote at the Provisional Council of the Province;
- 26.4 electing delegates to represent the provisional Dioceses at the Provisional Council of the Province;
- 26.5 authorising the Diocesan Bishops-designate to convene further meetings of the provisional Diocesan Synods as and when required.

**Section 27      Provisional Council of the Province**

- 27.1 A Provisional Council of the Province shall be established in accordance with provisions set out herein below for the purposes of:—
- 27.1.1 adopting this Constitution;
  - 27.1.2 adopting the Canon of the Province;
  - 27.1.3 adopting the arrangement for the election of the first Archbishop of the Province and of the provisional office-bearers of the proposed Province;
  - 27.1.4 electing the first Archbishop and provisional office-bearers of the proposed Province; and
  - 27.1.5 confirming the date of the installation of the first Archbishop of the Province.
- 27.2 The Provisional Council of the Province shall be constituted by the action of the Diocese of Hong Kong Island, the Diocese of Eastern Kowloon, the Diocese of Western Kowloon and the Missionary Area of Macau.
- 27.3 The Provisional Council of the Province shall be made up of:
- 27.3.1 the Diocesan Bishops of the three (3) Dioceses;
  - 27.3.2 six (6) clergy representatives from each of the three (3) Dioceses;
  - 27.3.3 fifteen (15) lay representatives from each of the three (3) Dioceses; and
  - 27.3.4 one (1) clergy and two (2) lay representatives from the Missionary Area of Macau.
- 27.4 The Provisional Council of the Province shall be dissolved at the conclusion of the election of the first Standing Committee.