



**Mennonite
Church**
Canada

Bylaws

Last Updated July 2007

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General Bylaws

PART I - DEFINITIONS

Definition of Terms

- 1 In these bylaws:

- (a) "Act" means The Act of Incorporation of the Conference of Mennonites in Canada as amended by An Act to amend the Act of incorporation of the Conference of Mennonites in Canada.
- (b) "area church" means a body of congregations that have been accepted to membership in the area church, visibly grouped in a region of Canada not necessarily bounded by provincial borders;
- (c) "congregation" means a body of persons who have responded to the call of Christ in repentance and in faith, who symbolize their unity through the

- practice of baptism and communion, and who are visibly grouped for the express purpose of implementing their obedience to Christ as head of the church;
- (d) "congregational member" means a person who is a member of a constituent congregation;
- (e) "constituent congregation" means a congregation which is a member of an area church and of Mennonite Church Canada;
- (f) "MC Canada" means Mennonite Church Canada; and
- (g) "MC USA" means Mennonite Church USA.

PART II - MEMBERSHIP

Eligibility for Membership

- 2 (1) An area church in Canada which accepts the Confession of Faith in a Mennonite Perspective, supports the Vision Statement and Identity and Purpose Statement of MC Canada and accepts these bylaws is eligible to become a member of MC Canada.
- (2) Any area church that wishes to become a member of MC Canada is invited to submit a request in writing to the General Secretary, who will submit it to the General Board which will, in turn, present the request and a recommendation to a delegate assembly.
- (3) A constituent congregation is a member of MC Canada as long as the area church to which it belongs is a member of MC Canada.

Rights and Privileges of Members

- 3 (1) Membership in MC Canada entitles area churches to:
 - (a) send delegates to a delegate assembly, as specified elsewhere in these bylaws, with the right to vote;
 - (b) representation on the General Board, as specified elsewhere in these bylaws; and
 - (c) participate in programs and receive services from MC Canada.
- (2) Membership in MC Canada entitles constituent congregations to:
 - (a) send delegates to a delegate assembly, as specified elsewhere in these bylaws, with the right to vote;
 - (b) have their congregational members serve on the General Board or stand for election to any elected positions except as otherwise provided in these bylaws; and
 - (c) participate in programs and receive services from MC Canada.

Expectations of Members

- 4 Area churches and constituent congregations are expected to:
 - (a) give faithful attention to the Scriptures;
 - (b) accept the Confession of Faith in a Mennonite Perspective;
 - (c) uphold statements of Christian faith and life made by MC Canada from time to time;
 - (d) respond to the invitation to become engaged in mission and service;
 - (e) participate in the church's life and mission through generous contributions of time and personal resources all in commitment to Jesus Christ in response to the grace of God and in loving service to the church in which the Holy Spirit lives and works; and
 - (f) assume all duties as defined in these bylaws.

Provisional Membership

- 5 (1) Provisional membership is open to any area church which:
 - (a) meets the eligibility requirement in bylaw 2(1);
 - (b) is not ready for full membership; but which
 - (c) wishes to evaluate the meaning of full membership for itself.
- (2) Provisional membership:
 - (a) may be requested in writing to the General Secretary, and the process set out in bylaw 2(2) shall apply;

- (b) is restricted to a maximum of five years;
 - (c) carries with it the expectations listed in bylaw 4;
 - (d) provides all the rights and privileges of membership listed in bylaw 3 except that:
 - (i) their delegates are not entitled to vote at delegate assemblies;
 - (ii) their congregational members may be elected to a Council, but may not serve on the General Board; and
 - (iii) participation in programs and services from MC Canada, and the costs associated with them, will be negotiated on a case-by-case basis.
- (3) A constituent congregation is a provisional member of MC Canada as long as the area church to which it belongs is a provisional member of MC Canada.

Removal of Members

- 6 An area church may be removed from membership in MC Canada only on the recommendation of the General Board, and such recommendation may only be made after the General Board has followed procedures defined in Guidelines for Building Faithful Relationships in the Church (1998) and Agreeing and Disagreeing in Love (1995) to try to resolve matters with the area church in a way that would avert the need for such a recommendation.

PART III - DELEGATE ASSEMBLIES

Representation at Delegate Assemblies

- 7 (1) Area churches and constituent congregations may be represented at delegate assemblies as follows:
 - (a) delegates appointed by constituent congregations:
 - (i) in the ratio of one delegate for every 50 congregational members or a portion thereof; but
 - (ii) not less than two per constituent congregation; and
 - (b) delegates appointed by the area churches:
 - (i) in the ratio of one delegate for every 1,000 congregational members, or portion thereof, of their constituent congregations; but
 - (ii) not less than six and not more than 12 delegates per area church.
- (2) Each delegate may represent only one of either an area church, or a constituent congregation, but not both simultaneously.
- (3) Delegates must be congregational members. There are no other restrictions on who may be a delegate.

Duties and Powers of Voting Delegates

- 8 The delegates entitled to vote and present at a delegate assembly shall:
 - (a) have the authority to act on behalf of MC Canada;
 - (b) discern MC Canada's participation in God's work as reflected in its Vision Statement and Identity and Purpose Statement;
 - (c) debate issues facing the church and, from time to time, issue statements, including, but not limited to, statements pertaining to faith and life, position statements, and statements to governments;
 - (d) review the work and ministry of MC Canada;
 - (e) approve the budgets of MC Canada;
 - (f) receive the General Board's recommendation on the appointment of an auditor to hold office until the close

- of the next regular delegate assembly, and accept or reject such recommendation;
- (g) consider and accept or reject the financial statements of MC Canada and the auditor's report;
- (h) receive the General Board's recommendation and accept, reject or remove area churches as members or as provisional members;
- (i) elect MC Canada's officers, members of the Councils and members of the Nominating Committee; and
- (j) make the bylaws of MC Canada, amend bylaws as deemed appropriate, and monitor adherence to those bylaws.

Delegate Assemblies

- 9** (1) Regular delegate assemblies shall be held:
- (a) annually, beginning normally during the first two weeks of July,
 - (b) at a place determined by the General Board.
- (2) Elections shall be held at regular delegate assemblies except where the General Board determines that it is necessary to hold elections at a special delegate assembly. The General Board and all Councils shall provide written reports of their activities, plans and relevant financial statements for consideration by delegates at regular delegate assemblies.
- (3) A special delegate assembly may be called from time to time by the General Board at a time and place it may determine.

Notice of Delegate Assemblies

- 10** (1) The date and place of the next regular delegate assembly shall be announced at the conclusion of each regular delegate assembly.
- (2) Notice of a special delegate assembly shall be given to area churches and to constituent congregations not less than 21 days in advance.

Voting at Delegate Assemblies

- 11** (1) The quorum for a delegate assembly shall be one half the total number eligible voting delegates from the area churches plus 200 voting delegates from constituent congregations.
- (2) The business of a delegate assembly may be conducted:
- (a) by consensus without a formal vote;
 - (b) by a show of hands at the discretion of the chair or on the request of a voting delegate; or
 - (c) by ballot vote when directed by the chair, or when a motion to require a ballot vote is passed by a majority of votes cast on such motion.
- (3) Unless otherwise provided in these bylaws, or if a motion to require a larger number is passed by a majority of votes cast on such motion, a simple majority of the votes cast is sufficient to carry a resolution.
- (4) In the event of a ballot vote, the votes shall be counted by tellers who have been appointed in advance.

PART IV – NOMINATIONS, ELECTIONS, TERMS OF OFFICE AND VACANCIES

Qualifications for Elected Positions

- 12** (1) Each person nominated for an elected position must be a

- congregational member. However, congregational members of provisional constituent congregations are not eligible for election to the General Board.
- (2) In the event that an elected person ceases to be a congregational member, that person's term shall be deemed to have expired at that point.
- (3) No person may hold more than one elected position at the same time. Where a person who holds an elected position is elected to another elected position, that person is deemed to have resigned from the previously held elected position.
- (4) Staff of MC Canada are not eligible for election to an elected position in MC Canada.
- (5) Any question of eligibility for election shall be resolved by the General Board.

Nominating Committee

- 13** (1) Each area church shall nominate one person to the Nominating Committee for election at a delegate assembly.
- (2) The Nominating Committee shall:
- (a) in advance of a delegate assembly where elections are to be held, use its best efforts to prepare a slate of nominees consisting of one nominee for each elected position that needs to be filled;
 - (b) recommend, upon the request of a Council, persons to serve on its committees; and
 - (c) on request, suggest to the General Secretary names of candidates for vacant staff positions.

Election Procedures

- 14** (1) The Nominating Committee will receive further nominations at a delegate assembly if:
- (a) it is endorsed by five voting delegates;
 - (b) the nominee has agreed to stand for the elected position; and
 - (c) it is presented to the Nominating Committee at least 24 hours before the scheduled election.
- (2) Twenty-four hours before the scheduled election, the Nominating Committee shall present its slate of nominees, including those nominated in accordance with 14(1) above, to the delegate assembly.
- (3) Where only one person has been nominated for a given elected position, that nominee shall be declared elected by acclamation.
- (4) Where multiple nominations have been received for any elected position, there shall be a ballot vote.

Terms of Office

- 15** (1) The terms of office:
- (a) for the officers and the General Board members at large:
 - (i) shall be two years; and
 - (ii) they shall be eligible to serve for up to three consecutive terms;
 - (b) for all other members of the Councils:
 - (i) shall be three years; and
 - (ii) they shall be eligible to serve for up to three consecutive terms.
- (2) A person's term shall begin at the end of the delegate assembly at which the person was elected.

Vacancies

- 16** (1) Where a vacancy occurs in any elected position between regular delegate assemblies, such vacancy may be filled by the General Board, at its discretion, until the next regular delegate assembly.
- (2) Where a person has been appointed to fill a vacancy, the time spent completing that vacant term of office shall not be considered as a portion of any succeeding term.

PART V - GENERAL BOARD

Composition of the General Board

- 17** The General Board shall consist of:
- (a) the officers;
 - (b) the moderator or a designate of each area church;
 - (c) the chair of the Faith and Life Committee
 - (d) the following from the Councils:
 - (i) the chair of the Christian Witness Council and one other named by the Council;
 - (ii) the chair of the Christian Formation Council and one other named by the Council; and
 - (iii) the chair of the Support Services Council; and
 - (e) three members at large appointed by the General Board and confirmed by the delegate assembly.

Duties and Powers of the General Board

- 18** The General Board shall:
- (a) act on behalf of MC Canada between delegate assemblies;
 - (b) act as the legal representative of MC Canada, authorize such of its officers to sign contracts, cheques and other documents on behalf of MC Canada as the General Board may consider advisable, and prescribe the limits, if any, of such authority;
 - (c) report to, and be accountable to, its members at delegate assemblies;
 - (d) between delegate assemblies, continue the process of discerning MC Canada's participation in God's work as reflected in the Vision Statement and Identity and Purpose Statement;
 - (e) lead MC Canada in developing its identity and vision;
 - (f) create forums for interaction among the leaders of the area churches;
 - (g) direct and coordinate the work of the Councils;
 - (h) review financial statements and direct the preparation of budgets;
 - (i) make recommendations at regular delegate assemblies on the appointment of auditors for MC Canada;
 - (j) appoint the General Secretary;
 - (k) at its discretion, fill vacancies in elected positions that occur between regular delegate assemblies;
 - (l) process issues of membership in MC Canada

- and make recommendations thereon at regular or special delegate assemblies;
- (m) foster relationships with other church bodies, including appointments as appropriate to:
 - (i) MC USA;
 - (ii) Mennonite World Conference;
 - (iii) other Mennonite church bodies;
 - (iv) Canadian Council of Churches; and
 - (v) Evangelical Fellowship of Canada;
- (n) do any other thing which is likely to support and promote the mission of MC Canada.

General Board Governance

- 19** The General Board shall formulate and adopt rules of procedure and governance under which it shall operate.

PART VI - OFFICERS

Officers

- 20** (1) The officers of MC Canada shall be the:
- (a) Moderator;
 - (b) Assistant Moderator;
 - (c) Secretary; and
 - (d) Treasurer.
- (2) The officers shall be elected at a regular delegate assembly.

Duties of the Officers

- 21** (1) The Moderator shall:
- (a) preside at all delegate assemblies;
 - (b) chair all meetings of the General Board and the Executive Committee; and
 - (c) act as the official representative of and spokesperson for MC Canada.
- (2) The Assistant Moderator shall:
- (a) assume the duties of the Moderator:
 - (i) in the absence or incapacity of the Moderator; or
 - (ii) at the request of the Moderator or of the Executive Committee.
- (3) The Secretary shall be responsible for recording all minutes of delegate assemblies and meetings of the General Board and the Executive Committee.
- (4) The Treasurer shall oversee the Financial Policy and Audit Committee established by the General Board.

PART VII – GENERAL SECRETARY

Appointment

- 22** The General Secretary shall be appointed by the General Board.

Duties of the General Secretary

- 23** The General Secretary shall:
- (a) coordinate the total program of MC Canada;
 - (b) hire and supervise the MC Canada staff;

- (c) participate, without a vote, in meetings of the Executive Committee and the General Board;
- (d) receive and record the credentials of all voting delegates prior to each delegate assembly; and
- (e) publish proceedings of each delegate assembly.

PART VIII - EXECUTIVE COMMITTEE

Composition of the Executive Committee

- 24** The Executive Committee shall consist of:
- (a) the officers; and
 - (b) one member at large of the General Board appointed by the General Board from among its members.

Duties and Powers of the Executive Committee

- 25** The Executive Committee shall:
- (a) act on behalf of the General Board between its meetings;
 - (b) report its activities to the General Board; and
 - (c) between meetings of the General Board, continue the process of discerning MC Canada's participation in God's work as contained in the Vision Statement and Identity and Purpose Statement.

PART IX - JOINT EXECUTIVE COMMITTEE

Composition of the Joint Executive Committee

- 26** The Joint Executive Committee shall consist of:
- (a) the Executive Committee of MC Canada; and
 - (b) the Executive Committee of MC USA.

Duties of the Joint Executive Committee

- 27** The Joint Executive Committee shall meet at least annually to:
- (a) foster relationships between MC Canada and MC USA; and
 - (b) foster effective cooperation regarding binational partnership activities.

PART X – FINANCIAL POLICY AND AUDIT COMMITTEE

Composition of the Financial Policy and Audit Committee

- 28** The Financial Policy and Audit Committee shall consist of 3 people, namely:
- (a) the Treasurer, as chairperson; and
 - (b) two other persons appointed by the General Board whose term shall be three years; and who shall be eligible to serve for up to three consecutive terms.

Duties of the Financial Policy and Audit Committee

- 29** The Financial Policy and Audit Committee shall meet in person at least once annually and otherwise by teleconferencing as required to:
- (a) Review the financial statements (YTD) prepared by the Director of Finance and report to the General Board.
 - (b) Recommend financial policies and procedures as needed.
 - (c) Recommend investment policies and procedures as

- needed.
- (d) Ensure that MC Canada has implemented appropriate systems to identify, monitor and mitigate significant business risks.
- (e) Monitor the review of senior management's expense claims.
- (f) Provide initial recommendations regarding the budgeting process for the upcoming year and review proposed budgets before submission to the General Board.
- (g) Act as an audit committee with the following responsibilities:
 - (i) Review and recommend the appointment of the external auditor.
 - (ii) Review annually the audit plan and fees presented by the external auditor.
 - (iii) Review the annual audited financial statements prior to submission to the General Board for their approval.
 - (iv) In camera meeting with the auditor.
 - (v) Review and report to the General Board the results of the external auditor's annual audit including the management letter and significant issues encountered during the audit and how they were resolved.
 - (vi) Review with management and the external auditors MC Canada's systems of internal control to ensure compliance with legal, ethical, regulatory and financial reporting requirements and report to the General Board as required.

PART XI FAITH AND LIFE COMMITTEE

Composition of the Faith and Life Committee

- 30** The Faith and Life Committee shall consist of 5 people, namely:
- (a) a chairperson, who will be a member of the General Board, elected at a regular delegate assembly;
 - (b) two additional persons elected at a regular delegate assembly;
 - (c) one additional person appointed by the General Board;
 - (d) one staff member appointed by the General Secretary.

Duties of the Faith and Life Committee

- 31** The Faith and Life Committee shall meet at least three times annually, and one of the meetings will be together with a Reference Council which shall include the Moderators, Secretaries and Conference Ministers and faculty members appointed by our higher education institutions, to:
- (a) Attend to the interface among Scripture, the *Confession of Faith in a Mennonite Perspective* and our identity as MC Canada.
 - (b) Give leadership to Mennonite Church Canada in discerning God's will on issues of theology, ethics, polity and practice.
 - (c) Work cooperatively with educational institutions and other church agencies to facilitate, create and distribute resources for study by and guidance for the church.

PART XII - MINISTRIES OF MC CANADA

Christian Witness Council

- 32** (1) The core activities of the Christian Witness Council shall focus on carrying out mission work together with area churches and their constituent congregations including, but not limited to:
- (a) evangelism and church planting;
 - (b) international missions;
 - (c) multicultural ministries;
 - (d) Native ministries;
 - (e) peace and justice advocacy; and
 - (f) service ministries.
- (2) The Christian Witness Council shall consist of 10 people, namely:
- (a) a chairperson elected at a regular delegate assembly;
 - (b) nine other persons elected at a regular delegate assembly.
- (3) The Christian Witness Council shall have authority to:
- (a) select any other officers from among its members that it deems desirable;
 - (b) hire staff to oversee its programs;
 - (c) modify the organization of its programs to adapt to the needs of MC Canada and the availability of resources;
 - (d) oversee its programs, staff and budgets;
 - (e) delegate parts of its authority to various committees, and
 - (f) appoint representatives to related organizations.
- (4) The Christian Witness Council shall prepare financial budgets for its own programs, with assistance from the Financial Policy and Audit Committee, and reports for presentation at regular delegate assemblies, covering their activities since the last regular delegate assembly, and shall prepare and provide to the General Board such other statements or reports as the General Board may request.
- (5) The Christian Witness Council shall, on behalf of MC Canada, relate to:
- (a) Mennonite Central Committee;
 - (b) Canadian Women in Mission;
 - (c) Christian Peacemaker Teams; and
 - (d) any other organization or group assigned to it by the General Board.

Christian Formation Council

- 33** (1) The core activities of the Christian Formation Council shall focus on providing leadership and resources to enable area churches and their constituent congregations to promote the Christian formation of their members, including, but not limited to:
- (a) congregational and ministerial leadership;
 - (b) youth and young adult ministry;
 - (c) Christian education and nurture; and
 - (d) resources and publishing.
- (2) The Christian Formation Council shall consist of 10 persons, namely:
- (a) a chairperson elected at a regular delegate assembly;
 - (b) nine other persons elected at a regular delegate assembly.
- (3) The Christian Formation Council shall have authority to:

- (a) select any other officers from among its members that it deems desirable;
 - (b) hire staff to oversee its programs;
 - (c) modify the organization of its programs to adapt to the needs of MC Canada and the availability of resources;
 - (d) oversee its programs, staff and budgets;
 - (e) delegate parts of its authority to various committees, and
 - (f) appoint representatives to related organizations.
- (4) The Christian Formation Council shall prepare financial budgets for its own program, with assistance from the Financial Policy and Audit Committee, and reports for presentation at regular delegate assemblies, covering their activities since the last regular delegate assembly, and shall prepare and provide to the General Board such other statements or reports as the General Board may request.
- (5) The Christian Formation Council shall, on behalf of MC Canada, relate to:
- (a) Mennonite Publishing Network;
 - (b) Mennonite Camping Association;
 - (c) Elementary, secondary and post-secondary schools related to MC Canada; and
 - (d) any other organization or group assigned to it by the General Board.

Support Services Council

- 34** (1) The activities of the Support Services Council shall focus on structures and staff to provide support services to MC Canada including, but not limited to:
- (a) planning delegate assemblies;
 - (b) communication;
 - (c) information technology;
 - (d) human resources management;
 - (e) pension plan;
 - (f) property management; and
 - (g) development and constituency relations.
- (2) The Support Services Council shall consist of six persons, namely:
- (a) a chairperson elected at a regular delegate assembly;
 - (b) and five other persons elected at a regular delegate assembly.
- (3) The Support Services Council shall have authority to:
- (a) select any other officers from among its members that it deems desirable;
 - (b) hire staff to oversee its activities;
 - (c) modify the organization of its programs to adapt to the needs of MC Canada and the availability of resources;
 - (d) oversee its programs, staff and budgets;
 - (e) delegate parts of its authority to various committees; and
 - (f) appoint representatives to related organizations.
- (4) The Support Services Council shall prepare financial budgets for its own program, with assistance from the Financial Policy and Audit Committee, and reports for presentation at regular delegate assemblies, covering their activities since the last regular delegate assembly, and shall prepare and provide to the General Board such other statements or reports as the General Board may request.
- (5) The Support Services Council shall, on behalf of MC Canada, relate to:

- (a) Mennonite Foundation of Canada;
- (b) Canadian Mennonite Publishing Service; and
- (c) any other organization or group assigned to it by the General Board.

Council Governance

35 Each Council shall formulate and adopt rules of procedure and governance under which the Council shall operate.

PART XIII – MODERATORS, SECRETARIES AND CONFERENCE MINISTERS MEETING

Membership

36 The members of the Moderators, Secretaries and Conference Ministers meeting shall consist of the moderator or a designate, leading staff member and conference minister of Mennonite Church Canada and each of its member area churches.

Functions

37 The Moderators, Secretaries and Conference Ministers will meet annually to:

- (a) Report to each other the ministries and state of health of the national church body and its area churches.
- (b) Serve, together with others, as a reference council for the Faith and Life Committee.
- (c) Discuss issues of common concern in order to provide mutual counsel and support and to seek common approaches where appropriate.
- (d) Develop relationships of trust, respect and mutual subordination.
- (e) Other functions that may be helpful to building up the unity and faithfulness of the church.

PART XIV – OPERATIONAL MATTERS

Fiscal Year

38 MC Canada's fiscal year shall end on the 31st day of January in each year.

Corporate Seal

39 The Corporate seal shall:

- (a) have inscribed thereon Mennonite Church Canada; and
- (b) be affixed to such signed documents as the General Board considers necessary or advisable.

Indemnities

40 Every officer, member of the General Board and member of a Council of MC Canada, and their heirs, executors and administrators shall at all times be indemnified and saved harmless, out of the funds of MC Canada, from and against

- (a) all costs, charges and expenses whatsoever which such

officer or member sustains or incurs as a result of any claim, demand or proceedings made or brought against him or her for anything done, or omitted or permitted to be done, in the course of carrying out his or her responsibilities as an officer or member, except for any costs, charges and expenses sustained or incurred by the officer or member because of the wilful neglect of such officer or member; and

- (b) all reasonable costs, charges and expenses incurred by such officer or member in the course of carrying out his or her responsibilities as an officer or member.

PART XV – AMENDMENTS OF BYLAWS

Amendments to the bylaws

41 (1) These bylaws may be amended at any regular or special delegate assembly; provided that the proposed amendments have been sent to the member area churches and their constituent congregations at least two months in advance.

- (2) In order to pass, bylaw amendments require a two-thirds majority of the votes cast.

Coming into force

42 (1) These bylaws come into force at the conclusion of the delegate assembly at which they are adopted.

- (2) Any subsequent amendments to these bylaws come into force at the conclusion of the delegate assembly at which they are adopted.

Approved: July 14, 2001

Amended: July 6, 2002

Amended: July 9, 2005

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