

# **CONSTITUTION OF THE CHURCH OF ENGLAND ARCHDEACONRY OF SWITZERLAND**

## **I. TITLE - DOMICILE - DURATION - OBJECTS**

1. The Church of England Archdeaconry of Switzerland ("the Archdeaconry") is a non-profit-making association. It is part of the Church of England Diocese in Europe.
2. The Archdeaconry is governed in accordance with
  - a) Articles 60 *et seq.* of the Swiss Civil Code;
  - b) the Church Representation Rules made under the provisions of the Synodical Government Measure of the Church of England ("the Church Representation Rules");
  - b) the Constitution of the Diocese in Europe;
  - c) this Constitution.
3. The domicile of the association is at the residence of the Archdeacon in Switzerland.
4. The duration of the association is unlimited.
5. The objects of the association are:
  - a) to coordinate and further the ministry and work of the Church of England chaplaincies in Switzerland ("the chaplaincies");
  - b) to provide a forum for discussion of matters of common interest to the chaplaincies;
  - c) to provide a forum for the formulation of motions which the chaplaincies desire to table before the Synod of the Church of England Diocese in Europe ("the Diocesan Synod");
  - d) to review and implement decisions of the Diocesan Synod, with regard to local circumstances and legal requirements;
  - e) to do all such things as shall be conducive to the attainment of the above objectives.

## **II. MEMBERSHIP**

6. The association comprises those chaplaincies which are located in Switzerland, have a recognised congregation, a place or places of worship, adequate financial provision and a chaplain licensed by the Bishop in Europe to minister to the congregation. The Standing Committee shall make provision for any additional chaplaincy fulfilling these conditions to become a member automatically. A chaplaincy located outside Switzerland may also become a member of the association if the Bishop in Europe so decides and both the Bishop's Council and the Synod approve. The Episcopal Church of Emmanuel, Geneva, shall also be a co-opted member of the association.
7. Subject to the terms of its own constitution and of article 18 below, each member chaplaincy may provide for the representation of one or several of the recognised congregations with which it has geographical or other ties. Any such congregation may send observers to the meetings of the Archdeaconry Synod ("the Synod") if it so desires.

8. The members are not individually responsible for the liabilities of the association, which are guaranteed solely by its assets.

### **III. ASSETS - CONTRIBUTIONS**

9. The assets of the association consist of annual contributions and other sums paid by the members, of the revenue originating therefrom, and of legacies, gifts and subsidies from all sources. They shall be devoted to covering the expenses incurred in the attainment of the association's objects.

10. The annual contributions shall be determined by decision of the Synod acting on the recommendation of the Standing Committee. In assessing each member's proposed contribution, the Standing Committee shall take into account the formula adopted by the diocesan finance committee in determining each chaplaincy's share of contributions towards the diocesan Common Fund.

11. Unless the Standing Committee decides otherwise, a chaplaincy which fails to pay its contribution for two consecutive years shall forfeit its right to vote as a member of this association until such time as its outstanding contributions shall have been paid.

### **IV. SYNOD**

#### **A. GENERAL**

12. The general meeting of the association shall be called the Synod.

13. The Synod shall comprise:

- a) The House of Clergy;
- and
- b) The House of Laity.

#### **B. HOUSE OF CLERGY**

14. The House of Clergy shall comprise :

- a) The Archdeacon, chair *ex-officio*;
- and
- b) all clerks in holy orders holding the Bishop's licence to minister in Switzerland.

15. Voting and procedure shall be in accordance with the Church Representation Rules.

16. The affairs of the House of Clergy shall be managed by the Archdeacon and by a Secretary and another member of the House, the latter two of whom shall be elected triennially by the House of Clergy at a meeting of the Synod. They are eligible for re-election.

## **C. HOUSE OF LAITY**

17. The House of Laity shall comprise lay representatives from each of the member chaplaincies, whose representation shall be determined in accordance with the Church Representation Rules.

18. Election of the members of the House of Laity shall take place triennially at the annual general meeting of each chaplaincy in accordance with the Church Representation Rules. These members shall hold office for a term of three years beginning with the 1st June next following their election

19. Any vacancies in the House of Laity shall be filled as provided by the Church Representation Rules. The names of those elected shall be promptly notified to the Archdeacon.

20. Voting and procedure shall be in accordance with the Church Representation Rules.

21. The affairs of the House of Laity shall be managed by the Chair, a Secretary and another member of the House, all of whom shall be elected by the House of Laity at the meeting of the Synod following the triennial election of representatives of the member chaplaincies. The Chair, the Secretary and the other member are eligible for re-election.

## **D. POWERS OF THE SYNOD**

22. The Synod shall have inter alia the following powers:

- a) to approve the financial statements and the budget for the ensuing year;
- b) to consider any report on the activities of the association;
- c) to receive the report of the auditor;
- d) to elect the Treasurer;
- e) to appoint the auditor;
- f) to modify this Constitution
- g) to decide upon the dissolution of the association and the disposal of its assets.

## **E. PROCEDURE**

23. The Synod is convened :

- a) whenever the Standing Committee deems it necessary;
- b) when three (3) member chaplaincies at least ask for it;
- c) twice a year at least. One meeting shall be held not later than 31st March, to consider the annual report and the financial statements, to receive the report of the auditor, to vote the budget for the current year and to appoint the auditor.

24. Any meeting of the Synod, shall be convened at least twenty-eight (28) days beforehand by a notice sent to each representative of the member chaplaincies through the post or by email.

25. The Archdeacon and the Chair of the House of Laity shall jointly preside over the Synod.

26. Subject to article 37, voting and procedure shall be in accordance with the Church Representation Rules.

27. Unless the Standing Committee decides otherwise, the meetings of the Synod shall take place in Switzerland.

## **V. STANDING COMMITTEE**

28. The association shall be managed and represented by a Standing Committee comprising :

- a) the Archdeacon, chair;
- b) the Chair of the House of Laity;
- c) the Secretary of the House of Clergy;
- d) the Secretary of the House of Laity;
- e) the Treasurer; and
- f) one member nominated by each House, in accordance with Articles 16 and 21 above.

29. The term of office of the Standing Committee is three years. Any vacancy on the Standing Committee shall be filled by the Synod (or the relevant House thereof, as the case maybe) at its ensuing meeting.

30. The Standing Committee may co-opt members without the right to vote who shall serve in an advisory capacity for such term as the Standing Committee shall decide in each instance.

31. The Standing Committee is convened by the Archdeacon, acting on his own initiative or at the request of at least three members of the Committee.

32. The decisions of the Committee are valid when at least four members are present and when they are approved by the majority of the members present. If the votes are equally divided the Chair shall have a casting vote.

33. The minutes of all meetings shall be signed by the Chair.

34. The members of the Standing Committee incur no personal liability in the performance of their duties. The services of the members of the Committee are unpaid but all expenses incurred in connection with the meetings of the Committee shall be borne by the association.

35. The association is committed towards third parties by the joint signature of the Archdeacon, the Chair of the House of Laity or the Treasurer any two of whom acting together or any of them acting with any other member of the Standing Committee. As an internal rule, and without limitation of their powers towards third parties, the persons authorised to commit the association will only act in furtherance of a decision taken by the Standing Committee.

## **VI. AUDITOR**

36. Each year the Synod shall elect an auditor who shall be eligible for re-election. The auditor shall present to the Synod a report on the accounts of the association and the Synod shall not approve the said accounts until the report of the auditor has been received.

## **VII. MODIFICATION OF THE CONSTITUTION - DISSOLUTION**

37. The present Constitution may be altered only at a meeting of the Synod where at least three quarters of the representatives of each House are present. The convocation and the proposal(s) for modification shall be sent to each representative of the member chaplaincies at least twenty-eight (28) days before the date of the Synod. However, if at a meeting of the Synod where proposals for modification of the Constitution will be considered, the quorum aforesaid is not met, a second meeting shall be convened at least fourteen (14) days after the first, and the motions voted by this second meeting shall be valid, whatever be the number of voting persons present. All motions voted pursuant to this provision shall be carried by a majority of three fourths of the representatives present.

38. The dissolution of the association shall be subject to the provisions of Article 37 above

39. In the event of the dissolution of the association, the liquidation shall be effected by the Standing Committee then in office.

40. The net assets of the association, after payment of all liabilities, shall be employed in accordance with the decision of the Synod.

## **VIII. MISCELLANEOUS - ENTRY INTO FORCE**

41. In case of any conflict between Canon Law in the Church of England and the Swiss Civil Code, Swiss law shall prevail.

42. All records of the association shall be kept for at least ten years.

43. The present Constitution replaces that adopted by the Synod on 22 November 1986.

*Adopted by Synod on 29 January 2011*