



# CONSTITUTION

## OF THE

### METROPOLITANATE OF

### AUSTRALIA AND NEW ZEALAND

## OF

### THE SERBIAN ORTHODOX

### CHURCH





**CONSTITUTION**

**OF THE**

**METROPOLITANATE OF**  
**AUSTRALIA AND NEW ZEALAND**  
**OF**  
**THE SERBIAN ORTHODOX CHURCH**

Adopted by an extraordinary parallel convocation of the Diocesan Council of the Diocese of Australia and New Zealand and the Church-National Assembly of the Diocese for Australia and New Zealand New Gracanica Metropolitanate on the 4<sup>th</sup> day of September 2010 in Melbourne and ratified by Decision of the Holy Assembly of Bishops No. 1 & 2/Min. 128 on the 23<sup>rd</sup> day of May 2011.

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# **CONSTITUTION OF THE METROPOLITANATE OF AUSTRALIA AND NEW ZEALAND OF THE SERBIAN ORTHODOX CHURCH**

## **ARTICLE 1            PREAMBLE**

The Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church (hereinafter called the “Metropolitanate”) is a body of Orthodox Christians, canonically and hierarchically an integral part of the Autocephalous Serbian Orthodox Church (hereinafter called the “Serbian Orthodox Church”) with its See in Belgrade, Serbia.

## **ARTICLE 2            GOVERNING AUTHORITY**

The Metropolitanate is governed upon the basis of:

- a) Holy Scripture and Holy Tradition in accordance with the teachings of the Holy Orthodox Church;
- b) The Rules, this is the Canons of the Ecumenical Councils of the Orthodox Church and the Rules of the Apostles, the Regional Councils and the Holy Fathers which have been recognised by the Ecumenical Councils of the Orthodox Church;
- c) The Regulations of the Regional Councils and of the Synods of the Patriarchates, insofar as they have been adopted by the Serbian Orthodox Church;
- d) The Provisions of the Constitution of the Serbian Orthodox Church; and
- e) This Constitution, the Rules for Parishes and their Church Communities of the Metropolitanate of Australia and New Zealand, Rules for Mission Parishes of the Metropolitanate of Australia and New Zealand (hereinafter called the “Rules”), the General Regulations of the Metropolitanate of Australia and New Zealand (hereinafter called the “General Regulations”), and decisions of the proper ecclesiastical authorities.

### ARTICLE 3 ADMINISTRATIVE AUTONOMY

1. The tenets of the Serbian Orthodox Church, its Constitution and other rules, regulations and decisions promulgated by the Holy Assembly of Bishops of the Serbian Orthodox Church (hereinafter called the “Holy Assembly of Bishops”) which pertain to ecclesiastical, canonical, hierarchical and juridical authority, are binding upon the Metropolitanate and must be applied without exception.

2. The Serbian Orthodox Church recognises the Administrative Autonomy of the Metropolitanate in all matters which pertain to the administration of external church affairs: the ownership, control, possession, management and administration of the real and personal property of the Metropolitanate, Parishes and their Church Communities, Mission Parishes, Monasteries and other bodies of the Metropolitanate.

### ARTICLE 4 COAT-OF-ARMS, FLAG AND SEAL

1. The Coat-of-Arms of the Metropolitanate is one and the same as the official Coat-of-Arms of the Serbian Orthodox Church, which is as follows:



A shield is centred upon a porphyry-coloured Patriarchal Mantle which is adorned by a double-bar Patriarchal Cross on the right and an Archpastoral Staff on the left. The shield, which consists of a blue upper half and a white lower half, is adorned on the top by a Gold Episcopal Crown. The right side of the blue upper half of the shield contains a white portrayal of the Tower of Saint Sava in Hilandar. The left side of the blue upper half of the shield contains a white portrayal of the Monastery Church at the Patriarchate of Peć (Ipek). The white lower half of the shield contains a Gold Cross of four equal sides with a Gold Flint Stone in each corner of the Cross.

2. All ecclesiastical authorities, entities and bodies of the Metropolitanate have their seals with the official Coat-of-Arms of the Serbian Orthodox Church in the centre and the corresponding inscription circumscribed.

3. The Flag of the Metropolitanate is one and the same as the Flag of the Serbian Orthodox Church, which is tricoloured: red-blue-white, surmounted with a gold cross and flint stones, and is as follows:



Official Serbian Orthodox Church Flag

4. Any Deanery, Parish and its Church Community, Mission Parish, Monastery, Auxiliary Organisation, or any other entity or body which is not an integral part of the Metropolitanate may not use, carry or incorporate the official Coat-of-Arms, Flag or Seal of the Serbian Orthodox Church. Only the Serbian Orthodox Church maintains exclusive rights to its intellectual property.

#### **ARTICLE 5            OFFICIAL LANGUAGES**

The official languages of the Metropolitanate are Serbian written in Cyrillic and English.

#### **ARTICLE 6            JURISDICTION**

1. The jurisdiction of the Metropolitanate, as a Diocese of the Serbian Orthodox Church, includes all of the territory of Australia and New Zealand.

2. Each Deanery, Parish and its Church Community, Mission Parish, Monastery and Auxiliary Organisation of the Serbian Orthodox Church, which presently exists or which shall be established in the future on the territory of Australia and New Zealand is an integral part of the Metropolitanate and as such must recognise its authority and jurisdiction.

3. Each Deanery, Parish and its Church Community, Mission Parish, Monastery and Auxiliary Organisation, which presently exists or which shall be established in the future, must be governed in accordance with the provisions of this Constitution.

4. Any Deanery, Parish and its Church Community, Mission Parish, Monastery, Auxiliary Organisation, or any other entity or body which is not an integral part of the Metropolitanate may not use, carry or incorporate “Serbian Orthodox” in its title.

5. All governing documents of any Church entity, including existing Church Constitutions, Charters, Articles of Incorporation, Deeds, Rules, Regulations and Bye-laws, must be consistent with this Constitution. Any provisions inconsistent with this Constitution are of no force and effect.

#### **ARTICLE 7            ORGANISATION**

1. The organisation of the Metropolitanate is church-hierarchical and church-administrative.

2. Church-spiritual, church-disciplinary and church-judicial authority, according to the canons and structure of the Serbian Orthodox Church, belong exclusively to the Metropolitan. The Metropolitan exercises that authority through church-hierarchical representatives and bodies.



3. The church-hierarchical governing authorities are the:
- a) Serbian Patriarch;
  - b) Holy Assembly of Bishops;
  - c) Holy Synod of Bishops of the Serbian Orthodox Church (hereinafter called the “Holy Synod of Bishops”);
  - d) Supreme Ecclesiastical Court:<sup>1</sup>
  - e) Metropolitan;
  - f) Metropolitanate Ecclesiastical Court;
  - g) Dean;
  - h) Parish Priest; and
  - i) Abbot/Abbess and the Brotherhood or Sisterhood of Monasteries.
4. Matters pertaining to the administration of real and personal property, religious corporations, not-for-profit corporations, related corporations of any kind, trusts, foundations, funds and other entities foreseen by this Constitution are under the supervision of the Metropolitan, clergy and laity of the respective church-administrative bodies of the Metropolitanate.
5. The church-administrative governing authorities are the:
- a) Metropolitanate Assembly;
  - b) Metropolitanate Executive Board;
  - c) Church Community Assembly;
  - d) Church Community Board; and
  - e) Mission Parish Council.

## **ARTICLE 8            STRUCTURE**

1. The Metropolitanate, with its See in Sydney, has its canonical territory which includes all of Australia and New Zealand.
2. Decisions regarding the establishment, abolition, reorganisation or restructuring of the Metropolitanate are rendered by the Holy Assembly of Bishops on the recommendation of the Metropolitan.
3. The Head of the Metropolitanate is the Metropolitan (i.e. the Diocesan Hierarchy) who is the Chief Executive Officer. According to the Ecclesiastical Canons, the Metropolitan is the Supreme Authority of all church life and order in the Metropolitanate and he governs the Metropolitanate with the assistance

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<sup>1</sup> Adopted by decision of the Metropolitanate Assembly of 05.09.2015 and ratified by decision of the Holy Assembly of Bishops No. 41/Min. 103 of 20.05.2016.

of the church-hierarchical and church-administrative governing authorities as identified in this Constitution.

4. The Metropolitanate is comprised of Deaneries, Parishes and their Church Communities, Mission Parishes, Monasteries, Auxiliary Organisations and other subordinate bodies, trusts, entities and institutions.

#### **ARTICLE 9 THE METROPOLITAN**

1. The Metropolitan is the Spiritual Head of the Metropolitanate in all matters pertaining to teaching, liturgical-sacerdotal officiation and governance.

2. The Metropolitan is elected and appointed by the Holy Assembly of Bishops.

3. The Metropolitan appoints his own Chancellor from among the clergy of both orders. The chosen cleric must possess the same qualifications required for a member of the Metropolitanate Ecclesiastical Court. The Chancellor substitutes for the Metropolitan within the limits prescribed by the Metropolitan.

4. In the event it becomes necessary to appoint an Administrator for the Metropolitanate, the Administrator shall be appointed by the Holy Synod of Bishops.

5. The Metropolitan has full hierarchical authority in matters of faith and morals, liturgical-sacerdotal officiation and archpastoral work. In concert with the church-hierarchical and the church-administrative governing authorities, the Metropolitan administers and guides in every respect the entire internal and external life of the Metropolitanate, including but not limited to:

- a) Maintaining dogmatic and canonical unity with the Serbian Orthodox Patriarchate; and
- b) Maintaining relations with the remaining Orthodox Churches and other Christian Churches and Communities in Australia and New Zealand, as well as representatives of the local Inter-faith Communities.

6. The Metropolitan recognises the Patriarch of the Serbian Orthodox Church as the Supreme Head of the Serbian Orthodox Church and shall mention him in all Holy Services.

7. All complaints against the Metropolitan shall be submitted to the Metropolitan for consideration, and if determined that it is warranted, forwarded by him for further process to the Holy Synod of Bishops.

8. In addition to his rights and duties according to Church and Canonical Regulations, the Metropolitan in his competence:

- a) Preserves, defends, maintains and promotes the Orthodox faith, repels every activity which is contrary to Orthodox teaching and harmful to the interests of the Serbian Orthodox Church;
- b) Executes and endeavours that all directives, decisions and determinations of the Holy Assembly of Bishops and the Holy Synod of Bishops are timely and precisely announced and executed/implemented;
- c) Withholds the execution of decisions of any subordinate bodies, entities and institutions not in accordance with the precepts and teachings of the Orthodox Church, Church Canons, the Constitution of the Serbian Orthodox Church, this Constitution, or with the vital interests of the Serbian Orthodox Church, in which case the subject matter shall be reconsidered by the relevant subordinate body, entity or institution. If, following such reconsideration, the Metropolitan withholds execution of the decision of the relevant body, entity or institution, he shall submit the matter to the Ecclesiastical Court for review and, if necessary, to the Holy Synod of Bishops for final decision;
- d) Teaches and edifies the Clergy and the Laity in the Metropolitanate by words, deeds, and Archpastoral Epistles, and exercises supervision over religious education in the Metropolitanate;
- e) Establishes new Monasteries and Sketes and notifies the Holy Synod of Bishops of the same;
- f) Establishes new Parishes within existent Church Communities, Mission Parishes, Deaneries and Auxiliary Organisations in concert with the Ecclesiastical Court and the Metropolitanate Executive Board;
- g) Regulates new Parishes and their Church Communities and Mission Parishes according to the Rules in concert with the Ecclesiastical Court and the Metropolitanate Executive Board;
- h) Grants blessings for the building, reconstruction or refurbishing of churches, chapels and cemeteries and other buildings which are in the jurisdiction of the Metropolitanate and endeavours that they are kept in good order;
- i) Ensures the regular and proper conducting of worship services and general church order;
- j) Takes care that churches, monasteries and missions are provided with Holy *Antimensia* (corporals), Holy Chrism, vestments, utensils, liturgical books, and to see that all other necessities are provided without delay;
- k) Ordains worthy persons to holy orders and directs them to duty with an appropriate *Grammaton* (certificate) of the same;
- l) Canonically receives into and releases from the Metropolitanate all lesser clerics, clergy and monastics;
- m) Appoints and relieves clergy and monastics from their duties;
- n) Informs the Holy Synod of Bishops of the decoration of those clergy who have distinguished themselves by an exemplary life, church pastoral and religious educational work, and bestows other decorations himself which are within his own competency;

- o) Grants within his own competency blessings and dispensations in church-marital and other matters in accordance with the regulations of the Holy Canons and decisions of the Holy Assembly of Bishops;
- p) Renders judicial decisions concerning the clergy of both orders and the Laity for lesser disciplinary transgressions, in accordance with the Rules and Procedures for Ecclesiastical Courts of the Serbian Orthodox Church, and even without formal investigation pronounces penance for no longer than thirty (30) days;
- q) Suspends, in accordance with the "Rules and Procedures for Ecclesiastical Courts of the Serbian Orthodox Church", from liturgical-sacerdotal officiation those clerics who are guilty of ecclesiastical transgressions and appoints their substitutes, and revokes the rights and honours of the laity for no longer than one (1) year;
- r) Mitigates punishments pronounced as final by the Metropolitanate Ecclesiastical Court, if he so deems but only up to one half of the sentence;
- s) Supervises the work of the Deans and the clergy of both orders in the Metropolitanate;
- t) Endeavours with the aid of the Metropolitanate Ecclesiastical Court and the Metropolitanate Executive Board that all church institutions and bodies in the Metropolitanate perform their duties conscientiously and correctly, and that everything is done in accordance with existing regulations; and
- u) Submits to the Holy Assembly of Bishops an annual report with recommendations concerning his Archpastoral work, and, in general, on the conditions within the Metropolitanate.

9. The Metropolitan as the first teacher of the Metropolitanate:

- a) Decides, in concert with the Metropolitanate Assembly, on the establishment of theological schools and colleges; prescribes theological curricula and confirms programs of theological and other schools and submits the same to the Holy Assembly of Bishops for approval;
- b) Appoints the teaching and counselling personnel of the theological schools and colleges, and appoints other clerical personnel;
- c) Submits proposals, in concert with the Metropolitanate Executive Board, to the Church Assembly for the establishment of a Department of Christian Education, humanitarian as well as other institutions of the Metropolitanate;
- d) Issues "Regulations on Christian Education";
- e) Promotes and encourages the advancement of theological literature; and
- f) Appoints the editor and directs the official and other publications of the Metropolitanate.

10. Relative to this Constitution, the Metropolitan also in his competence:

- a) Interprets the Articles of this Constitution and all rules and regulations promulgated by the respective church bodies, entities and institutions;

- b) Submits all adopted amendments to this Constitution to the Holy Assembly of Bishops for ratification; and
- c) Performs all other duties and functions which by this Constitution and by the Canonical Regulations of the Holy Orthodox Church belong to his jurisdiction and to whom the Holy Assembly of Bishops has entrusted the same.

**ARTICLE 10 METROPOLITANATE ECCLESIASTICAL COURT**

1. The Metropolitanate Ecclesiastical Court (herein after called the "Ecclesiastical Court") is the Metropolitan's tribunal for ecclesiastical adjudication and internal church matters.
2. The Ecclesiastical Court as a judicial body:
  - a) Judges transgressions of clergy of both orders;
  - b) Judges transgressions of the faithful which may call for excommunication from the church community for a certain period or permanently;
  - c) Judges, within its jurisdiction, on the validity, annulment, and divorce of a church marriage;
  - d) Renders decisions in disputes between clergy; and
  - e) Renders decisions in disputes concerning Parish income, or concerning real estate and other church property which has been provided for the Parish Priest for his use.
3. The Ecclesiastical Court as an agency of the Metropolitan for the affairs of internal church government:
  - a) Supervises, at the direction of the Metropolitan, the Deaneries, the Parish Clergy, and Parish Offices;
  - b) Announces and executes the orders and decisions of higher Church authorities;
  - c) Assists the Metropolitan in all matters of Metropolitanate administration, and executes the Metropolitan's orders in those matters belonging to the Metropolitan's personal jurisdiction;
  - d) Determines in concert with the Metropolitan the standard fees, if any, to be appropriated by the Parish Priest for parochial rituals;
  - e) In accordance with this Constitution, takes care of the inventory of the Metropolitanate in cases of transfer, retirement or the death of the Metropolitan;
  - f) Renders decisions regarding amendments and post-entries in Church Protocols;
  - g) Maintains the Marriage Registry; and
  - h) Renders and records dispensations.

4. The Ecclesiastical Court shall act in accordance with the provisions of the Holy Canons, this Constitution, and the “Rules and Procedures for the Ecclesiastical Courts of the Serbian Orthodox Church” and taking into consideration civil laws, where applicable.

5. The Ecclesiastical Court is comprised of both a judicial body and support staff.

6. The judicial body, which renders decisions by casting votes, consists of:

- a) The President—the Metropolitan or the Chancellor; and
- b) Two (2) honorary members who have alternates;

7. The President of the Ecclesiastical Court is the Metropolitan who can authorise the Chancellor to be his substitute.

8. Members of the Ecclesiastical Court shall be substituted for by designated alternates and, if necessary, by the Secretary of the Ecclesiastical Court.

9. Members of the Ecclesiastical Court, their alternates, and the Secretary are appointed from among those clerics who have a baccalaureate and/or graduate theological education and/or have a legal education. Those candidates who have completed a lesser theological seminary must have at least ten years of court, church-educational, parochial or church-administrative service.

10. Members of the Ecclesiastical Court, their alternates, and the Secretary cannot be related, by blood to one another, nor to the President up to and including the fourth (4th) degree, nor can they be related by law or by spiritual relationship up to and including the second (2nd) degree.

11. Members of the Ecclesiastical Court, who have the prescribed qualifications, are appointed and relieved by the Metropolitan, who informs the Holy Synod of Bishops of the same.

12. The support staff, which assists the judicial body of the Ecclesiastical Court in all matters clerical and procedural, consists of:

- a) A Secretary; and
- b) The necessary number of administrative personnel.

13. The Ecclesiastical Court Prosecutor and Defender, if necessary, are clerics appointed either per case or the Prosecutor as a standing Prosecutor by the Metropolitan. His duties are prescribed by the “Rules and Procedures for the Ecclesiastical Courts of the Serbian Orthodox Church”.

14. The President assigns for deliberation all cases directed to the Ecclesiastical Court either according to the order received or by their urgency. He opens and adjourns all sessions of the Ecclesiastical Court and all deliberation and the rendering of judgments are conducted under his supervision, taking care to see that all business belonging to the sphere of the Ecclesiastical Court is completed and expedited in the prescribed time.

15. The Ecclesiastical Court renders valid decisions by majority vote, when deliberating in a session comprised of the President, or the Chancellor, and its two Members, who vote, and its Secretary. The voting begins with the youngest member of the Court. The President votes only if the other votes are divided. In the event of a difference of opinion between the Metropolitan and both members, the Metropolitan shall submit the disputed matter to the Supreme Ecclesiastical Court for review and final decision.<sup>2</sup>

16. All decisions of the Ecclesiastical Court which are not subject to review by the Supreme Ecclesiastical Court are final and immediately implementable. Those decisions which are subject to review by the Supreme Ecclesiastical Court are implementable upon its final decision.<sup>3</sup>

17. A member of the Ecclesiastical Court who has a personal interest or who has participated in the investigation of the subject being adjudicated cannot take part in the deliberation.

18. The Ecclesiastical Court renders decisions regarding the recusal (exclusion) of members of the Court. In that deliberation, the Chancellor, or Secretary, replaces the member of the court whose recusal is sought.

19. The President and members of the Ecclesiastical Court cast their vote in the rendering of decisions independently, in accordance with the dictates of their conscience and the provisions of Article ten (10) Paragraph four (4) of this Constitution.

20. A member of the Ecclesiastical Court who does not agree with a rendered verdict has the right to state his reasons in writing in a separate opinion. Separate opinions are not given to the litigants.

21. All decisions of the Ecclesiastical Court, rendered at meetings over which the Metropolitan did not preside, are submitted to him for his concurrence and approval. If the Metropolitan does not concur with a decision of the Ecclesiastical Court, the subject is submitted for a new deliberation by the Court. If the Ecclesiastical Court holds to its first decision, the subject is submitted with an explanation of his opinion to the Supreme Ecclesiastical Court, which renders its binding directive. In such case, the implementation of the decision of the Ecclesiastical Court is withheld until the ruling of the Supreme Ecclesiastical Court is rendered.<sup>4</sup>

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<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

22. Decisions rendered at a meeting of the Ecclesiastical Court are recorded immediately in the minutes which are signed by all of the members who sat in judgment, and also by the Secretary.

23. Decisions and verdicts which are provided to the interested parties shall be signed by the President and Secretary.

24. In the area of administration of internal church affairs, the Ecclesiastical Court works according to the instructions or directives of the Metropolitan.

25. With respect to clergy offenses, the Metropolitan, after obtaining a view of the situation through his representative, will render a decision if he finds that the subject matter comes within his jurisdiction; otherwise, he submits the instance to the Ecclesiastical Court for action.

#### **ARTICLE 11        DEANERY**

1. A Deanery is a church territorial unit, which is comprised of a designated number of Church Communities and Parishes. A Deanery is under the supervision of the Dean, who is appointed and relieved by the Metropolitan.

2. Decisions concerning the creating, naming, abolishing and changing of Deaneries are rendered by the Metropolitan, in concert with the Ecclesiastical Court and Metropolitanate Executive Board, of which the Holy Synod of Bishops is to be informed.

3. The Deaneries of the Metropolitanate of are the following:

- a) The Sydney Deanery, which consists of all parishes in New South Wales and the Australian Capital Territory;
- b) The Brisbane-Wellington Deanery, which consists of all parishes in Queensland and New Zealand;
- c) The Melbourne Deanery, which consists of all parishes in Victoria and Tasmania; and
- d) The Perth-Adelaide Deanery, which consists of all parishes in Western Australia, South Australia and the Northern Territory.

#### **ARTICLE 12        DEAN**

1. The Dean is an active or retired cleric who is appointed and relieved by the Metropolitan. The Dean must have the same qualifications as a member of the Ecclesiastical Court. This is an honorary position.

2. The duties of the Dean are to visit the Parishes and their Church Communities and Mission Parishes within the jurisdiction of his Deanery periodically and to carefully examine and oversee/audit the pastoral, religious



educational and administrative work of the Parish clergy, as well as the work of the Parishes and their Church Communities and Mission Parishes. After his review and audit, the Dean shall submit to the Metropolitan a detailed report setting forth his remarks and suggestions.

3. The Dean's official administrative expenses, including travel expenses, shall be paid by the Church Community or Mission Parish which he visits. For his other official administrative expenses, the Dean receives an honorarium provided for in the Metropolitanate budget.

#### **ARTICLE 13 METROPOLITANATE ASSEMBLY**

1. The Metropolitanate Assembly is the Metropolitanate legislative body in external matters of church administration.

2. The Metropolitanate Assembly is comprised of:

- a) Its President—the Metropolitan;
- b) Active and retired clerics of both orders;
- c) Members of the Metropolitanate Executive Board and Metropolitanate Audit Board;
- d) Presidents of the Church Community Boards or Mission Parish Councils or their alternates;
- e) One (1) elected delegate from each Church Community or Mission Parish elected at its Annual or Special Assembly;
- f) The President and one (1) elected delegate from the Metropolitanate Federation of Serbian Sisters Circles; and
- g) The President and one (1) elected delegate from the Metropolitanate Serbian Orthodox Youth Association (hereinafter known as "SOYA").

3. The Metropolitan shall summon the regular Metropolitanate Assembly bi-annually (i.e. every second year) with thirty (30) days advance notice, designate the time and location of its convening and preside over the same. An extraordinary assembly may be summoned thirty (30) days in advance predicated upon the Metropolitan's discretion in case of need or upon the request of two-thirds (2/3) of the Church Communities. A Special Assembly deliberates only on those matters for which it is summoned.

4. The Metropolitanate Assembly performs the following duties:

- a) Adopts an agenda, which is proposed by the Metropolitanate Executive Board;
- b) Adopts "Operating Rules" for the Metropolitanate Assembly;
- c) Renders changes and amendments to this Constitution and submits through the Metropolitan for ratification to the Holy Assembly of Bishops;

- d) Adopts amendments to the Rules and the General Regulations and submits them to the Metropolitan for approval;
- e) Adopts, in concert with the Metropolitan, all necessary Local Regulations for the subordinate bodies and institutions of the Metropolitanate;
- f) Discusses and approves reports from the Metropolitanate Executive Board;
- g) Adopts financial reports of the Metropolitanate Executive Board Treasurer;
- h) Discusses and approves reports from the Metropolitanate Audit Board;
- i) Discusses and approves reports from the Department of Christian Education, humanitarian and other institutions of the Metropolitanate;
- j) Implements the "Regulations on Christian Education";
- k) Discusses and approves reports from Monasteries as submitted to the Metropolitan;
- l) Discusses and approves reports on the status of Parishes and Mission Parishes which are submitted by the Parish Priests;
- m) Discusses and approves reports on the status of the Church Communities, as submitted by the Church Boards;
- n) Discusses and approves reports on the status of Auxiliary Organisations;
- o) Elects the Metropolitanate Executive and Audit Boards based upon the recommendation of the Metropolitan;
- p) Provides for the general material needs of the Metropolitanate;
- q) Decides on the assessment of Church Communities for the Metropolitanate and general needs of the Church;
- r) Brings forth regulations on the minimum remuneration and benefits of all clergy and Metropolitanate personnel;
- s) Establishes funds or trusts for the provision of Superannuation benefits on the level of the Metropolitanate;
- t) Concerns itself with financial questions pertaining to Church education and approves the education program prepared by the Metropolitan and the official educational bodies; and
- u) Concerns itself with all matters affecting the life and growth of the Church within the Metropolitanate.

5. The Metropolitanate Assembly shall elect, from among its representatives and delegates, one (1) Vice-President, two (2) Secretaries, one (1) for the Serbian text and one (1) for the English text and two (2) verifiers of the minutes.

6. The elected delegates to the Metropolitanate Assembly are elected at the Annual or Special Assembly of their Church Community, Mission Parish

and/or Auxiliary Organisation. Each candidate must be a member in good standing of their Church Community, Mission Parish and/or Auxiliary Organisation.

7. Grievances against the election of delegates to the Metropolitanate Assembly are directed to the Metropolitanate Executive Board within eight (8) days of the day of the election, through the Parish Priest. The Parish Priest must forward the grievance(s) immediately and the same must be decided at the first meeting of the Metropolitanate Executive Board.

8. All elected delegates of Church Communities, Mission Parishes and Auxiliary Organisations must possess the prescribed credentials as set out in the General Regulations. The credentials must be signed by the Parish Priest or Spiritual Advisor, President and Secretary of the Church Community Board, Mission Parish Council or Auxiliary Organisation Board. The Credentials Committee reviews and accepts the credentials according to the Operating Rules of the Metropolitanate Assembly.

9. Church Communities which have not fulfilled their obligations to the Metropolitanate forfeit the rights of participation of their *ex officio* and elected members in the Metropolitanate Assembly.

10. Invited guests may attend Metropolitanate Assembly meetings and may be privileged by the President to greet a session of a Metropolitanate Assembly, but these guests do not have the right to vote.

11. Travel expenses of active Clergy and delegates are borne by their Church Communities, Mission Parishes or Auxiliary Organisations. Travel expenses of Metropolitanate Executive Board and Metropolitanate Audit Board members are borne by the Metropolitanate.

12. All decisions must be passed at a session of the Metropolitanate Assembly by a majority vote. In the event of a tied vote, the vote of the presiding officer shall be the determining vote. In the event the Metropolitan determines that a decision rendered at the Metropolitanate Assembly is contrary to the teaching of the Holy Orthodox Church or detrimental to its interests, the matter shall be returned to the Metropolitanate Assembly for new deliberation. If the Metropolitanate Assembly confirms its earlier decision, the Metropolitan will forward the matter to the Holy Synod of Bishops for final decision.

13. When the Metropolitanate Assembly adjourns each session, the secretaries are obliged to prepare the minutes, which are to be read and accepted at the next session. If approved by the Metropolitanate Assembly, the minutes will be signed by the verifiers of the minutes and by the Metropolitan. All decisions of the Metropolitanate Assembly are final, except those which are to be submitted to the Holy Assembly of Bishops or the Holy Synod of Bishops for approval.

14. A summary of the decisions of the Metropolitanate Assembly shall be sent within thirty (30) days to all Parishes and their Church Communities, Mission Parishes and Auxiliary Organisations which must adhere to the decisions regardless of whether they were represented at the Metropolitanate Assembly.

#### **ARTICLE 14 METROPOLITANATE EXECUTIVE BOARD**

1. The Metropolitanate Executive Board (hereinafter called the “Executive Board”) is the executive authority in matters of external church administration in the Metropolitanate and is the executive body of the Metropolitanate Assembly.

2. The Executive Board is comprised of:

- a) Its President—the Metropolitan;
- b) Six (6) clergy, one (1) of whom shall be the Chancellor;
- c) Six (6) lay members; and
- d) Two (2) clergy alternate members and two (2) lay alternate members, who in case of the absence of the regular members, shall substitute for them with full rights and responsibilities.

3. The term of office for members of the Executive Board shall be for two (2) years, i.e. for the period between regular Metropolitanate Assemblies.

4. The Metropolitan shall appoint the Vice-President and the Treasurer from among the members of the Executive Board.

5. In the event of a vacancy, the Executive Board members by majority vote shall fill the vacancy from among its alternate members, with the concurrence of the Metropolitan.

6. The Secretary of the Metropolitanate is appointed by the Metropolitan. He shall also perform the duty of Secretary of the Executive Board.

7. The Metropolitan is the President of the Executive Board. The Metropolitan shall summon the Executive Board twice annually in regular session, and in special sessions as he shall deem necessary. The Metropolitan shall preside over all Executive Board meetings. Otherwise:

- a) In the temporary absence of the Metropolitan during meetings of the Executive Board, the Vice-President shall preside.
- b) In case the Metropolitan cannot convene and preside over the Executive Board, the Chancellor shall convene and preside with the blessing of the Metropolitan.

8. The presence of a majority of the members of the Executive Board shall constitute a quorum and a majority of those present shall be necessary

to validate any decision. In the event of a tie, the presiding officer shall have a casting vote. Minutes of the meetings are signed by the President and Secretary.

9. If a member of the Executive Board does not attend and fails to excuse himself with justification for two (2) consecutive meetings, or is seen to abuse his position as determined by the Metropolitan, the Executive Board will, in his place, on the proposal of the Metropolitan, appoint one of the alternate members as a regular member.

10. The Executive Board performs the following functions:

- a) Prepares the agenda for the Metropolitanate Assembly;
- b) Renders executive decisions on matters which require resolution between regular Metropolitanate Assemblies. Such decisions of the Executive Board are submitted to the Metropolitanate Assembly for subsequent approval;
- c) Prepares the proposed Metropolitanate bi-annual budget and submits a copy to the Metropolitanate Assembly for approval;
- d) Attains the financial means to satisfy material needs of the Metropolitanate;
- e) Decides on loans and the sale of Metropolitanate property and submits them for final approval to the Metropolitanate Assembly;
- f) Establishes, administers and manages the Metropolitanate funds and properties and other beneficial institutions, keeps a register of all Metropolitanate funds and announces their condition and controls all such funds;
- g) Maintains inventories of church properties in the Metropolitanate, ensures that the real estate has proper documents of ownership and is insured and approves plans for the erection and purchase of real estate and the erection of church buildings;
- h) Budgets funds to support the work of the Metropolitanate Department of Christian Education;
- i) Studies, prepares and submits Bye-Laws of Metropolitanate bodies and Auxiliary Organisations, Church Communities and Mission Parishes and their bodies and Auxiliary Organisations to the Metropolitanate Assembly for approval;
- j) Supervises the work of Parishes and their Church Communities, Mission Parishes and Auxiliary Organisations and issues them necessary instruction and directives;
- k) Confirms the election of Church Community Boards and Audit Boards, Mission Parish Councils and Auxiliary Organisations Boards;
- l) Reviews disagreements in Parishes and their Church Communities, Mission Parishes and Auxiliary Organisations and, if necessary dissolves, the relevant Board and appoints an Interim Board;

- m) Approves the summoning of Annual and Special Assemblies of Church Communities, if it deemed necessary issues specific directives, and/or sends its delegates to preside over or attend the same;
- n) Sees that Church bodies perform their duties according to this Constitution and the teachings and principles of the Serbian Orthodox Church and oversees those properties, funds and foundations which are entrusted for administration and management to Parishes and their Church Communities, Mission Parishes, Monasteries and Auxiliary Organisations;
- o) Accepts and approves budgets and annual financial statements of Parishes and their Church Communities, Mission Parishes, Monasteries and Auxiliary Organisations; and
- p) Maintains filial relations with the Patriarchal Executive Board of the Serbian Orthodox Church and submits an annual report concerning its work.

11. Matters which are of an urgent nature and cannot be postponed are decided upon in Presidium comprised of the Metropolitan or his Chancellor and at least one clergy and one lay member of the Executive Board residing in the vicinity of the Metropolitan See. Decisions rendered in Presidium and other like decisions brought forward in sub-committees appointed per need are to be submitted to the Executive Board for subsequent approval.

12. Appeals regarding decisions of the Executive Board are subject to a time limit of fourteen (14) days, counting from the day of receipt of the decision. The appeal is considered to be timely if it is submitted by either return receipt or registered mail within the prescribed time limit. Appeals are submitted through a Parish and its Church Community Board or Mission Parish Council to the Executive Board which issued the decision.

#### **ARTICLE 15 METROPOLITANATE AUDIT BOARD**

1. The Metropolitanate Audit Board reviews the entire financial work of the Metropolitanate. It is comprised of a president and two members who are elected at the Metropolitanate Assembly, preferably from persons who have qualifications and/or experience in financial auditing and accounting matters.

2. The Metropolitanate Audit Board meets regularly at the conclusion of the fiscal year, audits the complete financial management of the Metropolitanate, its properties and funds and presents its report to the Metropolitanate Assembly. The Metropolitanate Audit Board may audit the Metropolitanate financial records more than once a year if necessary.

3. At the discretion of the Metropolitan, the Metropolitanate Audit Board shall audit the financial records of the Monasteries and Sketes and submit the final report to the Metropolitan for review.

#### **ARTICLE 16 PARISH**

1. A Parish is an organised community of Orthodox persons within a designated geographical territory of the Metropolitanate headed by the Parish Priest.
2. There can be more than one Parish in one geographic territory and more than one geographic territory may be combined into one Parish.
3. Decisions concerning the chartering, naming, districting, abolishing and changing of Parishes are rendered by the Metropolitan in accordance with the provisions of this Constitution and in concert with the Metropolitanate Ecclesiastical Court and Metropolitanate Assembly, of which the Holy Synod of Bishops is to be informed.
4. Every communicant of the Metropolitanate belongs to the designated parish on the territory where he/she permanently resides. The Metropolitan may grant exceptions to this Paragraph.
5. The Parish has its parochial church. Several parishes may have one mutual church. If there is more than one church in a Parish, only one church is designated the Parish church. The other churches are subordinate or affiliated.
6. The Parish shall have an office where are kept its seal, stamp, metrical books, church protocols, and the other parish archives. If there are more parishes attached to one church, there is only one Parish Office with one, joint set of metrical and other official books and one seal.
7. The Parish Office must possess: a seal, dry seal, daily protocol, metrical books: births and baptisms, marriages, deaths, reception of converts, home registry and archives.
8. The Parish Priest is the keeper of the parish seal and all official records, correspondence and documents must be issued with that seal affixed.
9. New parishes shall be organised according to the following procedure:
  - a) Serbian Orthodox and other Orthodox Communicants wishing to organise a Parish must first file an application to the Metropolitan for permission to organise;
  - b) The application must be signed by the heads of at least forty (40), Serbian Orthodox or other Orthodox, families who wish to be parishioners of the Metropolitanate. The Metropolitan in concert with the Metropolitanate Executive Board may make exceptions to this requirement;
  - c) When the Metropolitan decides to permit the organisation of a new Parish he will grant the new Parish an ecclesiastical charter and will appoint a Parish Priest;
  - d) The Metropolitan, should it become necessary, may create two or more parishes, according to the provisions of this Constitution and the Rules; and

- e) In a Parish and its Church Community which require more than one priest, more Parishes, not Church Communities, will be created, with one priest assigned to each Parish. One of the Parish Priests shall be appointed by the Metropolitan as the Rector in charge of the church and is the custodian of the church seals and the official church documents.

10. When transferring from one Parish to another, the parishioner shall present to the Parish Priest of the new Parish a certificate of transfer signed by his/her former Parish Priest, which shall include all the pertinent information about the transferring parishioner.

#### **ARTICLE 17          PARISH PRIEST**

1. The Parish Priest is that person canonically ordained and appointed by the Metropolitan to a particular Parish or Mission Parish.

2. As head of the Parish or Mission Parish and its church he represents the Parish or Mission Parish in all matters and is responsible directly to the Metropolitan.

3. Every Parish Priest performs his parochial duties and conducts his Parish affairs independently of any board or council, and stands under the immediate control of the Dean, and under the supreme control and direction of the Metropolitan and the Ecclesiastical Court.

4. The Church Community or Mission Parish are neither authorised to discharge their Priest, nor to bring another in his place.

5. The Parish Priest can be transferred or removed from the Parish or Mission Parish only by direction of the Metropolitan.

6. The Parish Priest:

- a) As the head of the Parish or Mission Parish is required to reside in the Parish's designated territory, unless exempted by the Metropolitan according to local circumstances;
- b) Is assigned or transferred within the Metropolitanate according to the needs of the Metropolitanate by the Metropolitan, *ex officio* and on the basis of the Holy Canons and ecclesiastical jurisprudence; and
- c) May retire at any time with approval of the Metropolitan. A Parish Priest must retire at the age gazetted for entitlement to an aged pension by the laws of the country in which he resides. The Metropolitan may utilise the priest's service beyond the prescribed age, with his agreement.

7. Where there is more than one priest attached to one church, the Metropolitan appoints one of them to be the Rector of the church and, simultaneously, to be in charge of the Parish Office. The Rector is responsible for order in the church and Parish Office.



8. If a formal complaint is submitted against a Parish Priest, the Metropolitan may suspend the Priest until the Ecclesiastical Court renders its judgment. The Ecclesiastical Court must consider such a matter to be urgent and is obliged to decide the matter within one (1) year.
9. A Parish Priest under temporary suspension shall receive one half (1/2) of his regular remuneration and the remainder shall be paid to his substitute.
10. A Parish Priest cannot leave his Parish or Mission Parish vacant without the consent and release of the Metropolitan. The Church Community Board or Mission Parish Council shall be informed of the release in a timely fashion.
11. Before leaving the Parish or Mission Parish, the Parish Priest must surrender in good and correct order to his successor or to whomever the Metropolitan may designate the metrical books and all other ecclesiastical books, as well as the church and all property, which was administered by him.
12. The Parish Priest, as head of the Parish or Mission Parish church with respect to his work, is under the direct control of the Metropolitan who performs this control personally or through his Deans. The Parish Priest exclusively answers to and is responsible to the Metropolitan and the Ecclesiastical Court.
13. All grievances from a Parish and its Church Community, Mission Parish or of an individual against the Parish Priest must be submitted in writing to the Metropolitan through the Episcopal Dean and a copy of the letter must be sent to the Parish Priest. The Episcopal Dean is required within 8 days of receiving the complaint(s), to submit them in the prescribed written manner by mail, to the Metropolitan for review and determination. The Metropolitan may submit it to the Ecclesiastical Court for further action.
14. All grievances of the Parish Priest against his Parish or its Church Community, Mission Parish or an individual must be submitted by the Parish Priest in writing to the Metropolitan and a copy of the letter must be sent to the subject individual or organisation. The Metropolitan either decides the matter himself or submits it to the Ecclesiastical Court for further action.
15. The Parish Priest must not perform any rites in a Parish or Mission Parish not his own without the consent of the Priest of the other Parish or Mission Parish. In exceptional circumstances, the Metropolitan may direct a priest to perform a church rite in a Parish or Mission Parish not his own.
16. No parishioner, Church Community Board or Mission Parish Council is permitted to bring in a priest from outside the Parish to perform church rites. In the event that this regulation is violated, the Metropolitan, the Ecclesiastical Court and/or the Metropolitanate Executive Board are obligated to act accordingly.
17. Among the duties of the Parish Priest are the following:

- a) To serve the Divine Liturgy and other church services according to Church rules;
- b) To regularly preach the Word of God and teach his parishioners in the church and in any other suitable place;
- c) To serve as an example to his parishioners in both his personal and family life;
- d) To regularly visit sick parishioners in their homes and hospitals, to extend to them pastoral care and consolation and to administer the Holy Mysteries (Sacraments);
- e) To keep and tend to the church metrical books, the official church register of families and the annual church chronicle, to care for the church inventory, to ensure the beauty of the church services and to supervise the order within and cleanliness of the church itself;
- f) To issue official excerpts from the church metrical books, which are notarised by the Parish Priest's signature and the Parish or Mission Parish seal;
- g) To participate with full rights and responsibilities in the work of the Church Community Board or Mission Parish Council, Church Community or Mission Parish Assemblies, Church Community or Mission Parish Auxiliary Organisations, and to provide them with the necessary instructions for their work;
- h) To appoint and release, in concert with the Church Community Board or Mission Parish Council, the personnel which maintains the church building, church cantors and wardens, and to instruct, supervise and administer them in their service;
- i) To instruct and direct all cantors, choir singers, church building maintenance personnel, sacristans and church wardens in order to ensure the dignity of and respect for both the consecrated church site and the divine church services. These persons must all strictly adhere to the directives of the Parish Priest.
- j) To submit an annual report of his work to the Metropolitan and the Church Community or Mission Parish Annual Assembly;
- k) To personally encourage and to become actively involved in supporting the activities of his parishioners with respect to the acquisition or construction of a parish church, parish house, and other church buildings;
- l) To work toward and be concerned with the advancement of the Parish and its Church Community or Mission Parish; and
- m) To be in charge of the entire Parish Educational Program, as prescribed by the "Regulations on Christian Education" as issued by the Metropolitan. The Parish Priest is assisted by church school staff, which is appointed by the Metropolitan upon the recommendation of the Parish Priest.

**18. The Parish Priest is entitled to the following remuneration and benefits:**

- a) Minimum annual remuneration and benefits are determined by the Metropolitanate Assembly. The minimum remuneration and benefits shall apply equally to all Parish Priests and shall not differ due to the country in

which they serve. The remuneration is adjusted at the beginning of each fiscal year in accordance with the Consumer Price Index (CPI) of the country in which he serves. The basis for this adjustment shall be the Parish Priest's remuneration from the previous year;

- b) An appropriately functional residence, including heating/cooling, electricity, water and appropriate access to telecommunication utilities, or a corresponding monetary allowance;
- c) Superannuation as determined by relevant legislation in Australia and New Zealand as the case may be;
- d) Workers Compensation Insurance as required by relevant legislation in Australia and New Zealand as the case may be;
- e) A proportional payment for private health insurance for himself, his spouse and his dependent children as determined by the Local Regulations, if he is not entitled to be covered by the government health system;
- f) Reasonable allowance for vehicle expenses and official travel; and
- g) Annual and long-service leave as determined by relevant legislation in Australia and New Zealand as the case may be. The Church Community or Mission Parish shall pay the expenses related to any substitute. If a Priest does not use his annual leave and during that period performs his Parish duties, the Priest shall receive his regular salary and his unused annual leave may be paid to him. Unpaid annual leave cannot accrue for more than three years.

19. The Church Community or Mission Parish cannot decrease the remuneration and benefits of the Parish Priest without the consent of the Metropolitan and Metropolitanate Executive Board.

20. During a period of prolonged illness the Parish Priest shall receive all his regular remuneration and benefits in the period prescribed by the laws of the country in which he resides, but not to exceed three (3) months. The substitute priest during the Parish Priest's illness is appointed by the Metropolitan and is compensated by the Church Community or Mission Parish.

21. In the event of the death of the Parish Priest, the "Clergy Fund" of the Metropolitanate will pay his family his regular remuneration for at least three (3) months and family cannot be removed from the parish home for at least three (3) months from the date of his death. The Parish Administrator is appointed by the Metropolitan and is compensated by the Church Community or Mission Parish.

22. It shall be mandatory for each Parish Priest to join and maintain membership in any Church-established benefits programs and the Clergy Superannuation Fund, in accordance with the provisions of the said programs.

23. The Parish Priest may take a private leave-of-absence from his Parish or Mission Parish only with the permission of the Metropolitan, if the Parish Priest finds a canonical substitute. The Parish Priest shall inform the Church

Community Board or Mission Parish Council of the same in accordance with the Local Regulations of the Church Community or Mission Parish Council.

#### **ARTICLE 18            DEACON**

1. A Deacon is a canonically ordained person and appointed by the Metropolitan to a designated service in the Metropolitanate.
2. Deacons may be placed by the Metropolitan as clerics of the Metropolitanate and as assistants in the service of the Metropolitan.
3. Cathedral churches shall have a Deacon. Other Parishes or Mission Parishes may have one or more deacons if they are able to support them financially, and as the Metropolitan deems necessary.
4. Deacons at the Metropolitanate See are under direct supervision of the Metropolitan, who determines their duties. Deacons at the cathedral churches as well as those in parishes enjoy the same rights and benefits as the Parish Priests.
5. The Metropolitan appoints Deacons to Parishes and Mission Parishes. They assist the Parish Priests or the Rector of a Parish in administrative matters and other duties assigned to them by the Rector of the Church.
6. Years in the Diaconate are recognised in the same manner as the years in priestly service.
7. Deacons with secular employment are under the supervision of the Metropolitan. They are attached to a specific Parish or Mission Parish. They may serve in a Parish or Mission Parish and preach only with the blessing of the Metropolitan and with the knowledge of the Parish Priest. The Church Community or Mission Parish has no financial obligation towards them.

#### **ARTICLE 19            CHURCH COMMUNITY**

1. A Church Community is an organised community of parishioners headed by a Parish Priest of a specified territory who have voluntarily obligated themselves as church community members to assist in the administration and maintenance of local church property for the benefit of the Church and for its religious life, pursuant to Regulation four (4) of the General Regulations.
2. One or more Parishes may have a common Church Community.
3. Decisions concerning the chartering, naming, districting, abolition and changes of Church Communities are rendered by the Metropolitan in concert with the Ecclesiastical Court and Metropolitanate Assembly.
4. New Church Communities shall be established in the following manner:

- a) Submission of a petition to the Metropolitan, signed by two-thirds (2/3) of the parishioners, in which they obligate themselves to support the Church Community as its members;
- b) Acceptance of this Constitution, the Rules and the General Regulations of the Metropolitanate;
- c) Submission of a draft of the proposed Local Regulations which must be in conformity with this Constitution and the Rules;
- d) Petition for the establishment of a fund to purchase land for the building of church and other buildings;
- e) Submission of estimates and plans for the building of the church, school and other facilities; and
- f) Upon the receipt of the above-noted items and after investigating the ability to organise a Church Community within a Parish, the Metropolitan will render his decision in concert with the Metropolitanate Executive Board and the Ecclesiastical Court. When the Metropolitan renders his decision regarding the organisation of a new Church Community, he will issue an Ecclesiastical Charter.

5. Every baptised and chrismated Orthodox Christian is a parishioner of his/her local Parish and its Church Community where he/she resides. The religious, moral and social duties of a parishioner are to apply the tenets of the Orthodox faith to his/her life; to adhere to and live according to the tenets of the Orthodox faith; faithfully participate in the Divine Liturgy and other worship services; regularly receive the Holy Mysteries (Sacraments); respect all authority and all governing bodies of the Church; be obedient in matters of faith, practice and ecclesiastical order; contribute materially and financially to the support of the Church's sacred mission; and be an effective witness and example of the Orthodox faith and traditions to all people.

6. Pursuant to this Constitution, only a church community member has the right to attend, participate and vote at Church Community Assemblies and may also be nominated for election to the Church Community Board or as a delegate to the Metropolitanate Assemblies.

7. In order to be considered as a church community member and to have the rights and privileges set forth above and elsewhere in this Constitution and the Rules, that parishioner must, at minimum:

- a) Have been a parishioner for at least six (6) months
- b) Practice all the religious and moral duties as described in Paragraph Five (5) above;
- c) Be at least 18 years old;
- d) Be current in his/her contributions or stewardship obligations;
- e) Abide by all of the provisions of this Constitution, the Rules, the General Regulations and the Local Regulations; and

- f) Cooperate in every way towards the welfare and well being of the Parish and its Church Community.

8. Each Church Community shall adopt procedures and maintain records as prescribed by the General Regulations to enable the priest and Church Community Board to determine whether a parishioner meets the criteria applicable to church community membership. The Parish Priest, in tandem with the Church Community Board, shall oversee maintaining the Register of Church Community Members.

9. Where a Church Community has been dissolved, the same criteria set forth in Paragraphs one (1), five (5) and seven (7) above shall apply to determine whether a person is eligible to be a steward of a Mission Parish.

10. If the Parish Priest and the Church Community Board determine a person to be unfit as church community member and that by his/her work he/she harms the general well being of the Church Community, they will make a proposal to the Annual Assembly of the Church Community for his/her expulsion from the Register of Church Community Members.

11. A parishioner who is determined not to be or no longer a church community member, or one who is expelled, has the right to appeal to the Church Community Assembly through the Church Community Board within fourteen (14) days from the day he/she received the decision of the Church Community Board. The decision of the Church Community Assembly can be appealed to the Metropolitan Executive Board. The decision of the Metropolitan Executive Board on appeals is final and obligatory for both parties.

12. No one can be a member of more than one Church Community.

13. Upon fulfilling the criteria set forth in Article nineteen (19) Paragraph seven (7), new parishioners of a Church Community attain the status of church community member after six (6) months, at which time they attain the rights and privileges described in Article nineteen (19) Paragraph six (6) and elsewhere in this Constitution and the Rules.

14. If a church community member moves from the territory of one Parish and its Church Community to another, he/she shall be considered a member in the new Parish and its Church Community.

## **ARTICLE 20            CHURCH COMMUNITY ASSEMBLY**

1. The Church Community Assembly (hereinafter called the "Assembly") is the legislative body of a Church Community in external matters of local administration. An Assembly is comprised of all the members of the Church Community. The Parish Priest, on behalf of the Metropolitan, is the Presiding Officer of the Assembly, unless an appointment is made pursuant to Paragraph 8 of this Article.

2. The Board of the Church Community decides the agenda, date and place of an Assembly provided that an Annual Assembly must be held within four (4) months of the end of the financial year of the Church Community. A written notice with the agenda is sent to all church community members at least fourteen (14) days before the Assembly. The Parish Priest will announce in church the time and place of the Assembly. Questions and proposals which arise outside of the agenda must be submitted in writing at least one week in advance of the Assembly and shall be incorporated at the discretion of the Church Community Board.

3. The Parish Priest opens an Assembly with prayer and opens nominations for the election of the remainder of the Presidium of the Assembly: the Vice-Chairman and Secretary.

4. The Annual Assembly performs the following duties:

- a) Elects the Presidium of the Assembly, except for the Presiding Officer;
- b) Elects delegates to the Metropolitanate Assembly;
- c) Elects the Church Community Board, the Nominating Committee for the following year and other necessary committees;
- d) Elects, appoints or removes any Trustee or member of a Property Trust if applicable;
- e) In accordance with this Constitution, the Rules and the decisions of the Metropolitanate Assembly and in line with the proposed budget, decides on the remuneration and benefits of the Parish Priest, as well as the salaries of other personnel of the Church Community;
- f) Incorporates in the Local Regulations any changes to fees for parochial rituals referred to in the General Regulations, according to circumstances in the Parish, and as approved by the Metropolitanate Executive Board;
- g) Renders decisions related to the building and repairing of any church building, school, parish home and other buildings, maintaining church structures and making improvements to Church Community property, and submits its decisions, along with plans, building estimates and other documents to the Metropolitanate Executive Board for approval;
- h) Deliberates on all other matters and proposals which are related to the Church Community;
- i) Proposes Operating Rules for the Assembly, which must be approved by the Metropolitanate Executive Board;
- j) Adopts, amends and removes any Local Regulations for the Church Community; adopts, amends or removes the Bye-Laws of the Auxiliary Organisations of the Church Community provided that any such addition amendment or removal has prior written approval from the Metropolitanate Executive Board;
- k) Adopts a Parish Educational Program as approved by the Metropolitan and in accordance with the "Regulations on Christian Education" allocates an amount in its budget for the implementation and maintenance of the Program; and

- l) Adopts budget(s) and the annual financial report of the Church Community and submits them to the Metropolitanate Executive Board for approval.

5. In the event that some important questions should arise during the course of the year which the Community Board is not authorised to decide and it is evident that its decision cannot be postponed until the Annual Assembly, the Board of the Church Community with the written approval of the Metropolitan may call a Special Assembly which can decide only upon the matters for which it was summoned.

6. Upon the written request of one-half (1/2) of the members of the Church Community, or if demanded by the Metropolitanate Executive Board the Community Board is obliged to call a Special Assembly.

7. For a Special Assembly which is to determine the sale, purchase, mortgage or lease for a term of more than ten (10) years including options or otherwise encumbering of church property, the erection of new buildings and major renovations or extensions to existing buildings, blessings must be sought in writing from the Metropolitan and permission given on behalf of the Metropolitanate Executive Board.

8. The Metropolitan may appoint his representative(s) to preside over or observe any Assembly or meeting of the Church Community.

9. The quorum for an Assembly, Annual or Special, is a simple majority (i.e. fifty percent plus one) of the church community members. If a quorum is not present, another Assembly shall be called within fourteen (14) days. At such time the actual number of church community members present may make valid decisions.

10. With respect to matters pertaining to the sale or encumbering (i.e. mortgaging or long leasing) of Church Community property, the quorum for an Assembly shall be two thirds (2/3) of the church community members. In the event a quorum is not present, the Metropolitan shall have authority to reduce the two-thirds (2/3) quorum at a subsequent assembly.

11. All decisions at Annual or Special Assemblies are rendered by a simple majority vote of the church community members present, unless a greater majority is required by this Constitution, the Rules or the Local Regulations of the Church Community. In case of a tie, the Presiding Officer of the Assembly shall have a casting vote.

12. The Parish Priest as Presiding Officer of the Assembly may expel from the Assembly any church community member who abuses his privileges, creates disorder or obstructs the proceedings of the Assembly.

13. Should an Assembly exceed its jurisdiction and/or prevent the execution of the directives of the Metropolitan, the Metropolitanate Ecclesiastical Court or the Metropolitanate Executive Board, the Metropolitanate Executive Board is empowered to annul such decisions. Until



a new Assembly is summoned, the Metropolitanate Executive Board may entrust the governing of the Church Community to the former Board or appoint an Interim Board. The Metropolitanate Executive Board will grant permission to call a new Assembly only when there is sufficient evidence that the Assembly will be conducted in accordance with this Constitution, the Rules, the General Regulations and the Local Regulations.

14. When two or more parishes with their Church Communities desire to merge, the Church Community Boards must obtain the initial agreement of the Metropolitan and the Metropolitanate Executive Board. The merger must be approved by two-thirds (2/3) of the church community members who are present at an Assembly of each Church Community. The decisions of these Assemblies must be submitted to the Metropolitan and the Metropolitanate Executive Board for final approval.

15. Decisions concerning the chartering, naming, districting, abolishing and changing of Church Communities are rendered by the Metropolitan in accordance with the provisions of this Constitution and in concert with the Ecclesiastical Court and Metropolitanate Assembly.

## **ARTICLE 21 CHURCH COMMUNITY BOARD**

1. The Church Community Board (hereinafter called the "Board") is the executive body of the Church Community Assembly which administers the affairs of the Church Community pursuant to its given authority.

2. The Board is comprised of:

- a) Parish Priest;
- b) President;
- c) Vice-President;
- d) Secretary;
- e) Treasurer;
- f) Church Wardens;
- g) A member from each Church Community Auxiliary Organisation, which shall be its president; and
- h) Such other members-at-large as determined by the Local Regulations.

3. The term of office for members of the Board is for the period between Annual Assemblies. The office of President cannot be held for more than three consecutive terms unless otherwise determined by the Local Regulations.

4. To serve on the Board is a ministry and all Board members are called to worthily represent Christ and the Orthodox faith before all whom they meet and in all aspects of life. The service of members of the Board is honorary.

5. Candidates for the Board must have been church community members for at least two (2) years and fulfil all of the requirements described in Article nineteen (19) Paragraphs one (1), five (5) and seven (7).

6. Candidates for the Board shall be nominated by the Nominating Committee elected at the previous Annual Assembly, unless otherwise determined by the Local Regulations:

- a) The Nominating Committee is comprised of the Parish Priest and not less than three (3) or more than five (5) church community members;
- b) The Nominating Committee should begin its work at least three (3) months before the Annual Assembly. Any church community member desiring to serve on the Board should notify the Nominating Committee;
- c) The Parish Priest shall announce in the church publication and in church the names of the members of the Nominating Committee; and
- d) At least two (2) weeks before the Annual Assembly, the Nominating Committee, subject to the approval of the Parish Priest, shall announce their nominations to the parishioners.

7. All candidates expressing an interest in serving on the Board shall meet with the Parish Priest, at which meeting the Parish Priest shall explain and discuss the Constitution and the Rules and the significance of the affirmation of office. At the conclusion of the meeting, the candidates must sign a statement acknowledging that they understand this Constitution and the Rules and will abide by them and the affirmation of office.

8. If there is more than one (1) candidate for an office, election is to be by secret ballot.

9. After the election of the Board, a list of new board members is to be sent immediately to the Metropolitan Executive Board, together with the verified minutes, for approval. This list is to be signed by the Parish Priest as Presiding Officer, and the Secretary of the Assembly.

10. Complaints against the election of the Board or against individual members thereof are submitted, through the Parish Priest, within eight (8) days of the date of their election to the Metropolitan Executive Board. If the Metropolitan finds that the complaint is well justified and documented, he may withhold the approval of the election. Until final determination is made the affairs of the Church Community will be conducted by the former Board, or an appointed Interim Board.

11. The Metropolitan may approve the members of the Board who meet election qualifications and postpone only the approval of those members against whom a complaint is filed.

12. Newly-elected members of the Board take an oath of office in the parish church before the Parish Priest and in the presence of the Church Community and from that moment shall be considered members of the body to which they were elected. A person who refuses to take the oath cannot assume the duties of a member of the Board.

13. Whenever a vacancy occurs in Board positions, the vacancy shall be filled through direct appointment by the Metropolitan, upon the recommendation of the Board and Parish Priest, provided however, that the Metropolitan shall also have the authority to have the position filled at a Special Assembly.

14. In the event the Metropolitanate Executive Board determines that a Board has failed to perform its duties in accordance with the teachings and the regulations of the Church, the Metropolitanate Executive Board may dissolve the Board and appoint an Interim Board to perform the daily duties of the Church Community until the Metropolitanate Executive Board determines that conditions have normalised for the election of a new Board.

15. The President summons the Board at least once a month. Should the Metropolitanate Executive Board or the majority of the Board members so require the President is obliged to call a meeting of the Board.

16. The Board may render valid decisions if the meeting is attended by a majority of its members, on the condition that the Parish Priest and President of the Board are present or that they have reviewed the agenda and given written permission for the meeting to take place in their absence. Decisions are rendered by a majority of the members present. Should the vote end in a tie, the presiding officer has a casting vote.

17. The Metropolitanate Executive Board may, if requested by the Board, or by official duty, suspend any member of the Board who neglects his/her duty or without justification, does not attend three (3) consecutive meetings, or who does not obey the decisions and directives of higher Church authorities and prevents the execution of their decisions and directives.

18. The Board performs the following:

- a) Announces the date of the Annual or a Special Assembly and decides the time and the place where it is to be held;
- b) Keeps in good order the Register of Church Community Members;
- c) Represents the interests of the Church Community whenever the need arises;
- d) Executes the decisions of the Assembly and directives from the Metropolitan, the Ecclesiastical Court and/or the Metropolitanate Executive Board;
- e) Proposes to the Assembly budgetary allocations for the Priest's full remuneration and benefits;

- f) Appoints and releases employed personnel and proposes in its budget to the Assembly the means of payment of said personnel and sees to it that the salaries are paid on time and in the prescribed manner;
- g) Seeks approval from the Metropolitan to issue official invitations to persons from outside the jurisdiction of the Metropolitanate;
- h) Keeps an inventory of personal and real properties of the Church Community in its archives;
- i) Proposes the means for acquiring funds for the building and repair of the church, school, parish home and other buildings; submits plans and building estimates to the Assembly for their initial approval and, thereafter, submits the same to the Metropolitanate authorities for final approval;
- j) Administers the property of the Church Community and provides for the needs of the Church Community;
- k) Prepares the agenda for the Assembly and takes care of all matters needed for the work of the Assembly;
- l) Prepares and submits budgets and annual financial statements to the Assembly for its review and approval and forwards the same to the Metropolitanate Executive Board for final approval;
- m) Submits reports of its work to the Assembly;
- n) Sees that the budget of the Church Community is realised;
- o) Cares for the Church Library;
- p) Regularly inspects the condition, maintenance, order and cleanliness of all buildings of the Church Community; and
- q) Regularly pays its prescribed assessments and financial obligations to the Metropolitanate, in accordance with the decisions of the Metropolitanate Assembly and the directives of the Metropolitanate Executive Board.

19. The Board is obliged in its entire work and decisions to strictly adhere to the provisions of this Constitution, the Rules, the General Regulations and the Local Regulations as well as all the directives of the Metropolitan, the Ecclesiastical Court and/or the Metropolitanate Executive Board.

20. The grievances of individual church community members against the decisions of the Board must be submitted in writing to the Board, which as part of its official duties, must forward the grievance to the Metropolitanate Executive Board within eight (8) days.

21. In addition to the Parish Priest, the President of the Board is its lawful representative before both the civil and ecclesiastical authorities.

22. The President summons, opens and closes Board meetings, proposes matters for discussion, brings them to a vote and announces its findings and decisions. He/she ensures that peace and order is maintained at the meetings and that all members present strictly adhere to the agenda. He/she is the

lawful custodian of the Church Community's seal, which is kept in the Church Community Office.

23. When the President of the Board is unable to perform his duties, the Vice-President is his/her substitute.

24. The President of the Board is the *ex-officio* delegate of his Church Community to the Metropolitanate Assembly. If the President is not able to attend meetings of that body, then the Vice-President shall be his/her substitute. In the event that the President or Vice-President, the elected member and elected alternate cannot attend the Metropolitanate Assembly, the Board may designate their substitutes.

25. The President and the other members of the Board are obliged to protect the dignity and honour of their priest and must not demand anything from him that would lessen his dignity.

26. The Secretary keeps the minutes of Board meetings; conducts all correspondence of the Church Community which he/she signs, together with the President; maintains the Register of the official Church Community acts maintains the Register of Church Community Members in agreement with the Parish Priest; and maintains the archives of the Church Community, exclusively in the Church Office.

27. The Treasurer keeps a record of all the income and expenditures of the Church Community throughout the entire year; keeps the Register of Church Community Members, with regard to their contribution or stewardship obligations; receives monies and deposits them in the bank, pays the remuneration of the Parish Priest and the salaries of other personnel, and pays all bills. The Treasurer submits his/her financial report to the Board and to the Annual Assembly. He/she is responsible for paying out all assessments to the Metropolitanate. The Board may appoint a bookkeeper to assist the Treasurer.

28. The Wardens are to be present regularly in church at all church services and ceremonies; to receive money from the sale of candles, offering collections and other income, to submit the money so received to the Treasurer, and to care for all other matters connected with the church and church services.

## **ARTICLE 22 CHURCH COMMUNITY AUDIT BOARD**

1. The Church Community Audit Board (hereinafter called the "Audit Board") is comprised of a president and two (2) or more members, elected by the Annual Assembly. The Church Community Assembly may in lieu of an Audit Board engage a Certified Public Accountant firm with the experience and necessary accreditation to perform an audit of the financial records of the Church Community.

2. Candidates for the Audit Board must have been church community members for at least two (2) years and fulfil all of the requirements described in Article nineteen (19) Paragraphs one (1), five (5) and seven (7), and who have experience in financial auditing and accounting matters.

3. After the election of the Audit Board, a list of its newly-elected members is to be sent with the list of new Board Members immediately to the Metropolitanate Executive Board for approval. This list is to be signed by the Parish Priest as Presiding Officer, and the Secretary of the Assembly.

4. Complaints against the election of the Audit Board or against individual members thereof are submitted, through the Parish Priest, within eight (8) days of the date of their election to the Metropolitanate Executive Board. If the Metropolitan finds that the complaint is well justified and documented, he may withhold the approval of the election. Until final determination is made the affairs of the Audit Board will be conducted by the former Audit Board, or an appointed Interim Audit Board.

5. The Metropolitan may approve the members of the Audit Board who meet election qualifications and postpone only the approval of those members against whom a complaint is filed.

6. Newly-elected and approved members of the Audit Board take an oath of office in the parish church before the Parish Priest and in the presence of the Church Community and from that moment shall be considered members of the body to which they were elected. A person who refuses to take the oath cannot assume the duties of a member of the Audit Board.

7. The Audit Board meets at least once during the fiscal year and reviews the handling of financial funds of the Church Community and submits its report to the Annual Assembly.

8. The Audit Board may perform the review of the financial records of the Church Community more than once a year, should the need be justified, or if the Metropolitanate Executive Board demands it.

## **ARTICLE 23      MISSION PARISH**

1. A Mission Parish is an organised community of Orthodox persons within a designated geographical territory of the Metropolitanate that does not meet the qualifications necessary for a Parish as foreseen in Article sixteen (16), Paragraph nine (9), Point (b) of this Constitution.

2. There can be more than one Mission Parish in one geographic territory and more than one locality may be combined into one Mission Parish, headed by a Parish Priest with a Mission Parish Council that is appointed on the recommendation of the Parish Priest by the Metropolitan who determines the scope of their work.

3. In a Mission Parish, or where the Church Community has been dissolved, the same criteria set forth in Article nineteen (19), Paragraphs one (1), five (5) and seven (7) above shall apply to determine whether a parishioner is eligible to be a steward of a Mission Parish.

4. Decisions concerning the chartering, naming, districting, abolishing and changing of Mission Parishes are rendered by the Metropolitan in accordance with the precepts of this Constitution and in concert with the Ecclesiastical Court and Metropolitanate Assembly.

#### **ARTICLE 24 MONASTERY**

1. A Monastery is a consecrated place with a church and other buildings as a habitation for persons of the monastic order who are united in a spiritual fraternal community, bound by solemn vows of chastity, poverty and obedience, and dedicated to prayer and work. A Monastery serves prescribed spiritual and charitable aims.

2. Decisions concerning the founding of new Monasteries and Convents, the merging or abolition of existing ones are rendered by the Metropolitan. The Metropolitan informs the Holy Synod of Bishops, which grants final approval.

3. For the founding of a new Monastery, the moral conditions and material resources must be secured in advance for its existence and orderly community life.

4. The Metropolitan is the supreme authority of all Monasteries in the Metropolitanate.

5. All Monasteries shall be ruled in accordance with the "Special Regulations for the Internal and External Life of a Monastery" as established by the Holy Assembly of Bishops.

#### **ARTICLE 25 AUXILIARY ORGANISATIONS**

1. An Auxiliary Organisation may be organised at the Metropolitanate level or at the Church Community or Mission Parish level.

2. Decisions concerning the chartering, naming, districting, abolishing and changing of Auxiliary Organisations are rendered by the Metropolitan in accordance with the provisions of this Constitution, the Rules, the General Regulations and the Local Regulations.

3. Metropolitan Auxiliary Organisations, such as the Federation of Circles of Serbian Sisters, Serbian Orthodox Youth Association (hereinafter known as "SOYA"), colleges, choral federations, folkloric associations, sports, aged care and other such organisations, help the Metropolitanate achieve its aims and

purposes, are under the control of the Metropolitanate authorities and are under its charter. Each Auxiliary Organisation is obligated to help the Metropolitanate in the manner in which the Metropolitanate deems appropriate.

4. An Auxiliary Organisation on the level of a Metropolitanate shall have its own Bye-Laws, which must comply with this Constitution, Rules and the General Regulations, and be approved by the Metropolitan and the Metropolitanate Executive Board and become effective immediately upon ratification by the Metropolitanate Assembly.

5. The Metropolitan, in concert with the Metropolitanate Executive Board, shall supervise the work of the Auxiliary Organisations and shall give them the necessary instructions and directives to ensure that the activities of these organisations are within the framework of this Constitution and in accordance with the teachings of the Church.

6. Each member of a Metropolitanate Auxiliary Organisation must be a parishioner of the parish in which he/she resides.

7. Church Community or Mission Parish Auxiliary Organisations, such as a Circle of Serbian Sisters, SOYA chapters, a choir, folkloric group, catechetical, language and other schools, sports and senior citizens clubs and other such organisations, may be formed in a Church Community or Mission Parish to help the Church Community or Mission Parish achieve its aims and purposes.

8. A Church Community or Mission Parish Auxiliary Organisation shall have its own Bye-Laws, which must be approved by the Church Community or Mission Parish Assembly and ratified by the Metropolitan and the Metropolitanate Executive Board, and must comply with this Constitution, the Rules and the General Regulations.

9. The Parish Priest and Church Community Board or Mission Parish Council shall supervise the work of the local Auxiliary Organisations and shall give them the necessary instructions and directives to ensure that the activities of these organisations are in accordance with this Constitution, the Rules and in accordance with the teachings of the Church.

10. Each member of a Church Community or Mission Parish Auxiliary Organisation must be a parishioner of the Parish in which he/she resides.

11. In the event that a Church Community or Mission Parish Auxiliary Organisation has been disbanded by default and a Church Community or Mission Parish Assembly cannot be summoned, the Metropolitan and the Metropolitanate Assembly shall have the power to declare the said entity dissolved or disbanded.



12. The properties of the dissolved entity shall devolve to the Metropolitanate to serve foremost for the renewal of church life in that territory, or as determined by the Metropolitanate Assembly.

## **ARTICLE 26                      INCOME AND ASSETS<sup>5</sup>**

1. All of the real and personal property which is owned by the Metropolitanate and its integral constituent bodies, which is described in this Article, is held in trust for the use and benefit of all of the faithful of the Metropolitanate.

### **2.      Income and Assets of the Metropolitanate<sup>6</sup>**

- a) The Metropolitanate owns the real and personal property purchased by, donated to or transferred to the Metropolitanate, including but not limited to the Metropolitan's Residence, the Metropolitanate Offices, trusts, funds, institutions, foundations and any and all other real and personal property which serves the needs of the Metropolitanate;
- b) The Metropolitanate Assembly and Metropolitanate Executive Board are the church-administrative authorities which manage, control and administer the real and personal property of the Metropolitanate pursuant to the provisions of this Constitution and the General Regulations and under the laws of the country or state where the property is located;
- c) The real and personal property of the Metropolitanate may only serve and be used for religious-ecclesiastical, educational and charitable-humanitarian purposes;
- d) The income and assets of the Metropolitanate shall be applied solely to further its objectives and no portion shall be distributed directly or indirectly to the members of Metropolitanate except as genuine compensation for services rendered or expenses incurred on behalf of the Metropolitanate;<sup>7</sup>
- e) The real property of the Metropolitanate shall be held by a Corporation limited by guarantee which shall have as its members only those persons who are and remain members of the Metropolitanate Executive Board with the Metropolitan as its president. The titles of all real properties of the Metropolitanate, Mission Parishes and Monasteries will be held by the said Metropolitanate Properties Company;
- f) The real property of the Metropolitanate may not be purchased sold, leased, mortgaged or encumbered in any way without the approval of the Metropolitanate Assembly. In exceptional circumstance only, if there is insufficient time to call a Metropolitanate Assembly, real property may be purchased and the purchased property mortgaged with the approval of the Metropolitanate Executive Board which is later ratified by the Metropolitanate Assembly. The personal property of the Metropolitanate may not be purchased, sold, leased, mortgaged or encumbered in any way without the approval of the Metropolitanate Executive Board; and

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<sup>5</sup> Adopted by decision of the Metropolitanate Assembly of 05.09.2015 and ratified by decision of the Holy Assembly of Bishops No. 42/Min. 104 of 20.05.2016.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

- g) In the event that the Metropolitanate is abolished, reorganised or restructured pursuant to Article eight (8), Paragraph two (2) of this Constitution, the real and personal property of the Metropolitanate or part thereof shall be conveyed to that canonical Metropolitanate or Diocese of the Serbian Orthodox Church into which that property is incorporated.

### 3. Income and Assets of Church Communities:<sup>8</sup>

- a) Each Church Community owns the real and personal property purchased by, donated to, or transferred to the Church Community on behalf of all the faithful, including but not limited to the churches, chapels, cemeteries, priest's homes (rectories), schools, cultural and social centres, picnic grounds, trusts, funds, institutions, foundations and any and all other real and personal property which serves the needs of the Church Community;
- b) The Church Community Assembly and the Church Community Board are the church-administrative authorities which manage, control and administer the real and personal property of the Church Community pursuant to the provisions of this Constitution and the Rules, the General Regulations, the Local Regulations and under the laws of the country or state where the property is located;
- c) The Metropolitanate Executive Board supervises the work of the Church Community Assembly and the Church Community Board with respect to the management, control and administration of real and personal property to the extent provided for in this Constitution, the Rules and the General Regulations;
- d) The real and personal property of a Church Community may only serve and be used for religious-ecclesiastical, educational and charitable-humanitarian purposes;
- e) For a Special Assembly which is to determine the sale, purchase, mortgage or lease for a term of more than ten (10) years including options or otherwise encumbering of church property, the erection of new buildings and major renovations or extensions to existing buildings, blessings must be sought in writing from the Metropolitan and permission given on behalf of the Metropolitanate Executive Board;
- f) The real and personal property of a Church Community may be held in a trust or legal entity as approved by the Metropolitanate Executive Board. The Church Community Assembly must adopt the governing documents of the trust or legal entity as provided by the Metropolitanate Executive Board in accordance with this Constitution. The provisions of existing governing documents of any association, corporation, trust or legal entity which are inconsistent with this Article are of no force and effect;
- g) Any Trust and the election of every Trustee or member of a Trust undertaken by an Assembly of the Church Community must be approved by the Metropolitan on behalf of the Metropolitanate Executive Board. The Metropolitan by virtue of his office may remove any Trustee or members of a Trust who do not abide by this Constitution;
- h) In the event that a Church Community is merged with another Church Community pursuant to this Constitution, the Rules and the General Regulations, the real and personal property of the Church Community shall be conveyed to the surviving Church Community. In the event that a Church

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<sup>8</sup> Ibid.

Community is dissolved pursuant to this Constitution, the Rules and the General Regulations, the real and personal property of the Church Community shall be conveyed to the Metropolitanate;

- i) The Metropolitanate Executive Board shall provide a standardised Deed of Trust and governing documents for any legal entity for use by each Church Community; and
- j) All income and assets of the Parish and its Church Community shall be applied solely to further the objectives of the Parish, its Church Community and the Metropolitanate and no portion shall be distributed directly or indirectly to the members of the Church Community except as genuine compensation for services rendered or expenses incurred on behalf of the Church Community.<sup>9</sup>

#### 4. Income and Assets of Mission Parishes:<sup>10</sup>

- a) Where there is no Church Community, the Metropolitan appoints the Council of the Mission Parish, based on the recommendation of the parish priest, and determines the scope of their work. Any real and personal property acquired by the Mission Parish shall be managed, controlled and administered by the Council pursuant to the authority and instructions granted by the Metropolitan;
- b) Title to a Mission Parish property shall be held by the Metropolitanate Properties Company, including but not limited to the parish church, the parochial residences, the trusts, funds, institutions, foundations and any and all other real and personal property which serves the needs of the Mission Parish: and
- c) All the income and assets of the Mission Parish shall be applied solely to further the objectives of the Mission Parish and the Metropolitanate and no portion shall be distributed directly or indirectly to the stewards of the Mission Parish except as genuine compensation for services rendered or expenses incurred on behalf of the Mission Parish.<sup>11</sup>

#### 5. Income and Assets of Monasteries:<sup>12</sup>

- a) Ownership and title to a Monastery shall be held by the Metropolitanate Properties Company, including but not limited to the monastery church, the monastic residences, the trusts, funds, institutions, foundations and any and all other real and personal property which serves the needs of the Monastery;
- b) The property of a Monastery serves the needs thereof and is administered by the Monastery Brotherhood or Sisterhood under the supreme supervision of the Metropolitan or his appointee;
- c) The real and personal property of a Monastery may only serve and be used for religious-ecclesiastical, educational and charitable-humanitarian purposes; and
- d) The real and personal property of a Monastery shall be purchased, sold, leased, mortgaged or encumbered in the same manner as Metropolitanate property.

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<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

## **ARTICLE 27                    SPECIAL BEQUESTS**

Private persons may specifically designate as bequests real and personal property, including but not limited to land, buildings and funds, to be used by and dedicated in trust for the entire Metropolitanate or a specific Church Community or Mission Parish. Prior to their dedication, the relevant church-administrative authorities for the entity for whose benefit the property is dedicated in trust must approve the governing document for the administration of the property and/or funds held in trust.

## **ARTICLE 28                    OTHER PROPERTY**

The Metropolitanate Executive Board is the church-administrative authority, which manages, controls and administers any real and personal property which is owned by the Metropolitanate or any of its integral constituent bodies but is not specifically identified in this Constitution.

## **ARTICLE 29                    DISSOLUTION**

### **1.     The Metropolitanate<sup>13</sup>**

- a)     If it is determined by the Metropolitanate Assembly that the Metropolitanate is incapable of sustaining itself or should be dissolved the Metropolitanate Assembly may by a three fourths (3/4) vote resolve to dissolve the Metropolitanate and any such resolution shall be referred to the Metropolitan and submitted by him for further consideration and final determination by the Holy Assembly of Bishops;<sup>14</sup> and
- b)     Any property which shall remain after dissolution and the satisfaction of all debts and liabilities shall be given or transferred to some other organ or organs of the Serbian Orthodox Church as nominated by the Metropolitanate Assembly in the dissolution resolution, and as approved by the Metropolitan, and as finally determined by the Holy Assembly of Bishops, provided that such organ or organs shall have objectives similar to the objectives of the Metropolitanate and which shall prohibit the distribution of its or their income or property among its or their members.<sup>15</sup>

### **2.     Church Communities, Mission Parishes and Organisations<sup>16</sup>**

- a)     When it is determined by the Church Community Board or a Mission Parish Council or an Auxiliary Organisation Board that it is incapable of sustaining these church entities or desires to be dissolved, with the approval of the Metropolitan, the Church Community Board or Mission Parish Council shall summon an Assembly. If two-thirds (2/3) of the members in good standing or stewards favour such dissolution, the Church Community Board or Mission Parish Council submits a request to the Metropolitan and the Metropolitanate Assembly to dissolve the same;
- b)     In the event that a Church Community, Mission Parish or an Auxiliary Organisation has been disbanded by default and a Church Community or

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<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

Mission Parish Assembly cannot be summoned, the Metropolitan and the Metropolitanate Assembly shall have the power to declare the said entity dissolved or disbanded;

- c) The properties of the dissolved entity shall devolve to the Metropolitanate to serve foremost for the renewal of church life in that territory, or as determined by the Metropolitanate Assembly; and
- d) All income and assets, and including the properties of the dissolved entity shall devolve to the Metropolitanate to serve foremost for the renewal of church life in that territory, or as determined by the Metropolitanate Assembly.<sup>17</sup>

### **ARTICLE 30            HERESY, SCHISM OR DEFECTION**

In the event of heresy, schism or defection from the Metropolitanate, title, management, administration and control of any affected property shall be entrusted by the Church to those who remain loyal to the Metropolitanate.

### **ARTICLE 31            CHURCH INCOME**

The Metropolitanate shall sustain itself financially in the following manner:

- a) Income from church properties;
- b) Church fees;
- c) Donations and bequests;
- d) Receipts from Church foundations and institutions;
- e) Assessments from Church Communities, Mission Parishes, Auxiliary Organisations and ecclesial institutions; and
- f) Other income.

### **ARTICLE 32            CHURCH TAXES**

1. The regulations for taxes in both hierarchical and administrative matters of the Metropolitanate and its bodies shall be prescribed by the Metropolitan in concert with the Metropolitanate Executive Board which shall be included in the General Regulations.

2. The regulations for standard taxes, if any, to be appropriated by the Parish Priest for parochial rituals are determined by the Metropolitan in concert with the Ecclesiastical Court which shall be included in the General Regulations.

3. The regulations for applicable taxes for Church Community or Mission Parish facility usage are determined by the Church Community Board or

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<sup>17</sup> Ibid.

Mission Parish Council, according to its circumstances, which are submitted for approval to the Metropolitan Executive Board and if approved shall be included in the amendments to its Local Regulations.

**ARTICLE 33 CHURCH OATHS**

1. All members of the Metropolitanate Executive Board, except for Clergy, upon the assumption of their duties shall take the Oath of Office before the Metropolitan as prescribed in the General Regulations, Article five (5), Paragraph two (2).
2. All newly-elected members of a Church Community Board, Mission Parish Council, upon the assumption of their duties, shall take an Oath of Office before their Parish Priest as prescribed in the General Regulations, Article five (5), Paragraph three (3).
3. All newly-accepted members of a Church Community prior to being enrolled in the official Register of Church Community Members shall take an oath before the Parish Priest as prescribed in the General Regulations, Article five (5), Paragraph three (3).

**ARTICLE 34 TEXT**

For all purposes, the English text of this Constitution shall be the official text.

**ARTICLE 35 AMENDMENTS TO THE CONSTITUTION**

The provisions of this Constitution may be amended only by a three-fourths (3/4) vote of all delegates present at a regular or special Metropolitanate Assembly and by the approval of the Metropolitan. Changes and amendments to this Constitution become effective immediately upon final ratification by the Holy Assembly of Bishops.

**ARTICLE 36 IMPLEMENTATION**

This Constitution shall be implemented pursuant to the Implemental Regulations.



**RULES**  
**FOR PARISHES AND THEIR CHURCH COMMUNITIES**  
**OF THE**  
**METROPOLITANATE OF**  
**AUSTRALIA AND NEW ZEALAND OF**  
**THE SERBIAN ORTHODOX CHURCH**

**RULE 1 NAME**

The name of the Parish shall be

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and the name of its Church Community shall be

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**RULE 2 ORGANISATION (7)**

1. The organisation of the Parish and its Church Community is church-hierarchical and church-administrative.
2. Church-spiritual, church-disciplinary and church-juridical authority, according to the canons and structure of the Serbian Orthodox Church, belong exclusively to the Metropolitan. The Metropolitan exercises that authority through his church-hierarchical representatives and bodies.
3. The church-hierarchical governing authorities within the Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church (hereinafter called the "Metropolitanate") are the:

- a) Metropolitan;

- b) Metropolitanate Ecclesiastical Court;
- c) Dean; and
- d) Parish Priest.

4. Matters pertaining to the administration of real and personal property of the Parish and Church Community are under the supervision of the Metropolitan, clergy and laity of the respective church-administrative bodies of the Metropolitanate.

5. The church-administrative governing authorities are the:

- a) Metropolitanate Assembly;
- b) Metropolitanate Executive Board;
- c) Church Community Assembly; and
- d) Church Community Board.

### **RULE 3 JURISDICTION (2) (6)**

1. The Parish and its Church Community are an integral part of the Metropolitanate and as such must recognise its authority and jurisdiction.

2. The Parish and its Church Community must be governed in accordance with the provisions of the Constitution, these Rules, the General Regulations, the Local Regulations, and the decisions of the proper ecclesiastical authorities

3. All governing documents of the Parish and its Church Community must be consistent with the Constitution. Any provisions inconsistent with the Constitution are of no force and effect.

### **RULE 4 PARISH (16)**

1. The Parish is an organised community of Orthodox persons within a designated geographical territory of the Metropolitanate headed by the Parish Priest.

2. There can be more than one Parish in one geographic territory and more than one geographic territory may be combined into one Parish.

3. Decisions concerning the chartering, naming, districting, abolishing and changing of Parishes are rendered by the Metropolitan in accordance with the provisions of the Constitution.



4. Every communicant of the Metropolitanate belongs to the designated parish on the territory where he/she permanently resides. The Metropolitan may grant exceptions to this Paragraph.
5. The Parish has its parochial church. Several parishes may have one mutual church. If there is more than one church in a Parish, only one church is designated the Parish Church. The other churches are subordinate or affiliated.
6. The Parish shall have an office where are kept its seal, stamp, metrical books, church protocols, and other parish archives. If there are more parishes attached to one church, there is only one Parish Office with one joint set of metrical and other official books and one seal.
7. The Parish Office must possess: a seal, dry seal, daily protocol, metrical books: births and baptisms, marriages, deaths, reception of converts, home registry and archives.
8. The Parish Priest is the keeper of the parish seal and all official records, correspondence and documents must be issued with that seal affixed.
9. New parishes shall be organised in accordance with the provisions of the Constitution.
10. When transferring from one Parish to another, a parishioner shall present to the Parish Priest of the new Parish a certificate of transfer signed by his/her former Parish Priest, which shall include all the pertinent information about the transferring parishioner.

#### **RULE 5                    PARISH PRIEST (17)**

1. The Parish Priest is that person canonically ordained and appointed by the Metropolitan to a particular Parish.
2. As head of the Parish he represents the Parish in all matters and is responsible directly to the Metropolitan.
3. Every Parish Priest performs his parochial duties and conducts his Parish affairs independently of any board or council, and stands under the immediate control of the Dean, and under the supreme control and direction of the Metropolitan and the Ecclesiastical Court.
4. The Church Community is neither authorised to discharge its Priest, nor to bring another in his place.
5. The Parish Priest can be transferred or removed from the Parish only by direction of the Metropolitan.

6. The Parish Priest:

- a) As the head of the Parish is required to reside in the Parish's designated territory, unless exempted by the Metropolitan according to local circumstances;
- b) Is assigned or transferred within the Metropolitanate according to the needs of the Metropolitanate by the Metropolitan, *ex officio*, and on the basis of the Holy Canons and ecclesiastical jurisprudence; and
- c) May retire at any time with approval of the Metropolitan A Parish Priest must retire at the age gazetted for entitlement to an aged pension by the laws of the country in which he resides. The Metropolitan may utilise the priest's service beyond the prescribed age, with his agreement.

7. Where there is more than one priest attached to one church, the Metropolitan appoints one of them to be the Rector of the church and, simultaneously, to be in charge of the Parish Office. The Rector is responsible for order in the church and Parish Office.

8. If a formal complaint is submitted against a Parish Priest, the Metropolitan may suspend the Priest until the Ecclesiastical Court renders its judgment. The Ecclesiastical Court must consider such a matter to be urgent and is obliged to decide the matter within one (1) year.

9. A Parish Priest under temporary suspension shall receive one half (1/2) of his regular remuneration and the remainder shall be paid to his substitute.

10. A Parish Priest cannot leave his Parish vacant without the consent and release of the Metropolitan. The Church Community shall be informed of the release in a timely fashion.

11. Before leaving the Parish the Parish Priest must surrender in good and correct order to his successor or to whomever the Metropolitan may designate the metrical books and all other ecclesiastical books, as well as the church and all property, which was administered by him.

12. The Parish Priest, as head of the Parish church with respect to his work, is under the direct control of the Metropolitan who performs this control personally or through his Deans. The Parish Priest exclusively answers to and is responsible to the Metropolitan and the Ecclesiastical Court.

13. All grievances from a Parish and its Church Community or of an individual against the Parish Priest must be submitted in writing to the Metropolitan through the Episcopal Dean and a copy of the letter must be sent to the Parish Priest. The Episcopal Dean is required within 8 days of receiving the complaint(s), to submit them in the prescribed written manner by mail, to the Metropolitan for review and determination. The Metropolitan may submit it to the Ecclesiastical Court for further action.

14. All grievances of the Parish Priest against his Parish or its Church Community or an individual must be submitted by the Parish Priest in writing to the Metropolitan and a copy of the letter must be sent to the subject

individual or organisation. The Metropolitan either decides the matter himself or submits it to the Ecclesiastical Court for further action.

15. The Parish Priest must not perform any rites in a Parish not his own without the consent of the Priest of the other Parish. In exceptional circumstances, the Metropolitan may direct a priest to perform a church rite in a Parish not his own.

16. No parishioner or Church Community Board is permitted to bring in a priest from outside the Parish to perform church rites. In the event that this regulation is violated, the Metropolitan, the Ecclesiastical Court and/or the Metropolitanate Executive Board are obligated to act accordingly.

17. Among the duties of the Parish Priest are the following:

- a) To serve the Divine Liturgy and other church services according to Church rules;
- b) To regularly preach the Word of God and teach his parishioners in the church and in any other suitable place;
- c) To serve as an example to his parishioners in both his personal and family life;
- d) To regularly visit sick parishioners in their homes and hospitals, to extend to them pastoral care and consolation and to administer the Holy Mysteries (Sacraments);
- e) To keep and tend to the church metrical books, the official church register of families and the annual church chronicle, to care for the church inventory, to ensure the beauty of the church services and to supervise the order within and cleanliness of the church itself;
- f) To issue official excerpts from the church metrical books, which are notarised by the Parish Priest's signature and the Parish or seal;
- g) To participate with full rights and responsibilities in the work of the Church Community Board, the Church Community Assembly and Church Community Auxiliary Organisations, and to provide them with the necessary instructions for their work;
- h) To appoint and release, in concert with the Church Community Board, the personnel which maintains the church building, church cantors and wardens, and to instruct, supervise and administer them in their service;
- i) To instruct and direct all cantors, choir singers, church building maintenance personnel, sacristans and church wardens in order to ensure the dignity of and respect for both the consecrated church site and the divine church services. These persons must all strictly adhere to the directives of the Parish Priest;
- j) To submit an annual report of his work to the Metropolitan and the Church Community Assembly;
- k) To personally encourage and to become actively involved in supporting the activities of his parishioners with respect to the acquisition or construction of a parish church, parish house, and other church buildings;

- l) To work toward and be concerned with the advancement of the Parish and the Church Community; and
- m) To be in charge of the entire Parish Educational Program, as prescribed by the "Regulations on Christian Education" as issued by the Metropolitan. The Parish Priest is assisted by church school staff, which is appointed by the Metropolitan upon the recommendation of the Parish Priest.

18. The Parish Priest is entitled to the following remuneration and benefits:

- a) Minimum annual remuneration and benefits are determined by the Metropolitanate Assembly. The minimum remuneration and benefits shall apply equally to all Parish Priests and shall not differ due to the country in which they serve. The remuneration is adjusted at the beginning of each fiscal year in accordance with the Consumer Price Index (CPI) of the country in which he serves. The basis for this adjustment shall be the Parish Priest's remuneration from the previous year;
- b) An appropriately functional residence, including heating/cooling, electricity, water and appropriate access to telecommunication utilities, or a corresponding monetary allowance;
- c) Superannuation as determined by relevant legislation in Australia and New Zealand as the case may be;
- d) Workers Compensation Insurance as required by relevant legislation in Australia and New Zealand as the case may be;
- e) A proportional payment for private health insurance for himself, his spouse and his dependent children as determined by the Local Regulations, if he is not entitled to be covered by the government health system;
- f) Reasonable allowance for vehicle expenses and official travel; and
- g) Annual and long-service leave as determined by relevant legislation in Australia and New Zealand as the case may be. The Church Community or Mission Parish shall pay the expenses related to any substitute. If a Priest does not use his annual leave and during that period performs his Parish duties, the Priest shall receive his regular salary and his unused annual leave may be paid to him. Unpaid annual leave cannot accrue for more than three years.

19. The Church Community cannot decrease the remuneration and benefits of the Parish Priest without the consent of the Metropolitan and Metropolitanate Executive Board.

20. During a period of prolonged illness the Parish Priest shall receive all his regular remuneration and benefits in the period prescribed by the laws of the country in which he resides, but not to exceed three (3) months. The substitute priest during the Parish Priest's illness is appointed by the Metropolitan and is compensated by the Church Community or Mission Parish.

21. In the event of the death of the Parish Priest, the Clergy Fund of the Metropolitanate will pay his family his regular remuneration for at least three

(3) months and family cannot be removed from the parish home for at least three (3) months from the date of his death. The Parish Administrator is appointed by the Metropolitan and is compensated by the Church Community or Mission Parish.

22. It shall be mandatory for each Parish Priest to join and maintain membership in any Church-established benefits programs and the Clergy Superannuation Fund in accordance with the provisions of the said programs.

23. The Parish Priest may take a private leave-of-absence from his Parish only with the permission of the Metropolitan, if the Parish Priest finds a canonical substitute. The Parish Priest shall inform the Church Community Board or Mission Parish Council of the same in accordance with the Local Regulations of the Church Community or Mission Parish Council.

#### **RULE 6                      DEACON (18)**

1. A Deacon is a canonically ordained person and appointed by the Metropolitan to a designated service in the Metropolitanate.

2. Cathedral churches shall have a Deacon. Other Parishes may have one or more deacons if they are able to support them financially, and as the Metropolitan deems necessary.

3. Deacons at the cathedral churches as well as those in Parishes enjoy the same rights and benefits as the Parish Priests.

4. The Metropolitan appoints Deacons to Parishes. They assist the Parish Priests or the Rector of a Parish in administrative matters and other duties assigned to them by the Rector of the Church.

5. Years in the Diaconate are recognised in the same manner as the years in priestly service.

6. Deacons with secular employment are under the supervision of the Metropolitan. They are attached to a specific Parish. They may serve in a Parish or Mission Parish and preach only with the blessing of the Metropolitan and with the knowledge of the Parish Priest. The Church Community has no financial obligation towards them.

#### **RULE 7                      CHURCH COMMUNITY (19)**

1. A Church Community is an organised community of parishioners headed by a Parish Priest of a specified territory who have voluntarily obligated themselves as church community members to assist in the administration and maintenance of local church property for the benefit of the Church and for its religious life, pursuant to Regulation four (4) of the General Regulations.

2. One or more Parishes may have a common Church Community.
3. Decisions concerning the chartering, naming, districting, abolition and changes of Church Communities are rendered by the Metropolitan in concert with the Ecclesiastical Court and Metropolitanate Assembly.
4. Every baptised and chrismated Orthodox Christian is a parishioner of his/her local Parish and its Church Community where he/she resides. The religious, moral and social duties of a parishioner are to apply the tenets of the Orthodox faith to his/her life; to adhere to and live according to the tenets of the Orthodox faith; faithfully participate in the Divine Liturgy and other worship services; regularly receive the Holy Mysteries (Sacraments); respect all authority and all governing bodies of the Church; be obedient in matters of faith, practice and ecclesiastical order; contribute materially and financially to the support of the Church and its mission; and be an effective witness and example of the Orthodox faith and traditions to all people.
5. Only a church community member has the right to attend, participate and vote at Church Community Assemblies and be nominated for election to the Church Community Board or as a delegate to the Metropolitanate Assemblies.
6. In order to be considered as a church community member and to have the rights and privileges as set out in the Constitution and these Rules, that parishioner must, at minimum:
  - a) Have been a parishioner for at least six (6) months
  - b) Practice all the religious and moral duties as described in Rule seven (7) Paragraphs four (4) and five (5) above;
  - c) Be at least 18 years old;
  - d) Be current in his/her contributions or stewardship obligations;
  - e) Abide by all of the provisions of the Constitution, these Rules, the General Regulations and the Local Regulations; and
  - f) Cooperate in every way towards the welfare and well being of the Parish and its Church Community.
7. Each Church Community shall adopt procedures and maintain records as prescribed by the General Regulations to enable the Parish Priest and Church Community Board to determine whether a parishioner meets and continues to meet the criteria applicable to church community members. The Parish Priest, in tandem with the Church Community Board, shall oversee maintaining the Register of Church Community Members.
8. Where the Church Community has been dissolved, the same criteria set forth in Rule seven (7) Paragraph six (6) shall apply to determine whether a person is eligible to be a steward of a Mission Parish.

9. If the Parish Priest and the Church Community Board determine a person to be unfit as church community member and that by his/her work he/she harms the general well being of the Church Community, they will make a proposal to the Annual Assembly of the Church Community for his/her expulsion from the Register of Church Community Members.

10. A parishioner who is determined not to be or no longer a church community member, or one who is expelled, has the right to appeal to the Church Community Assembly through the Church Community Board within fourteen (14) days from the day he/she received the decision of the Church Community Board. The decision of the Church Community Assembly can be appealed to, to the Metropolitanate Executive Board. The decision of the Metropolitanate Executive Board on appeals is final and obligatory for both parties.

11. No one can be a member of more than one Church Community.

12. Upon fulfilling the criteria set forth in Rule seven (7) Paragraph six (6), new parishioners can attain the status of church community members after six (6) months, at which time they attain the rights and privileges described in Rule seven (7) Paragraph five (5) and elsewhere in the Constitution and these Rules.

13. If a church community member moves from the territory of one Parish and its Church Community to another, he/she shall be considered a member in the new Parish and its Church Community.

## **RULE 8 CHURCH COMMUNITY ASSEMBLY (20)**

1. The Church Community Assembly (hereinafter called the "Assembly") is the legislative body of a Church Community in external matters of local administration. An Assembly is comprised of all the members of the Church Community. The Parish Priest, on behalf of the Metropolitan, is the Presiding Officer of the Assembly, unless an appointment is made pursuant to Paragraph eight (8) of this Rule.

2. The Board of the Church Community decides the agenda, date and place of an Assembly provided that an Annual Assembly must be held within four (4) months of the end of the financial year of the Church Community. A written notice with the agenda is sent to all church community members at least fourteen (14) days before the Assembly. The Parish Priest will announce in church the time and place of the Assembly. Questions and proposals which arise outside of the agenda must be submitted in writing by any church community member at least one week in advance of the Assembly and shall be incorporated at the discretion of the Church Community Board.

3. The Parish Priest opens an Assembly with prayer and opens nominations for the election of the remainder of the Presidium of the Assembly: the Vice-Chairman and Secretary.

4. The Annual Assembly performs the following duties:

- a) Elects the Presidium of the Assembly, except for the Presiding Officer;
- b) Elects delegates to the Metropolitanate Assembly;
- c) Elects the Church Community Board, the Nominating Committee for the following year and other necessary committees;
- d) Elects, appoints or removes any Trustee or member of a Property Trust if applicable;
- e) In accordance with the Constitution, the Rules and the decisions of the Metropolitanate Assembly and in line with the proposed budget, decides on the remuneration and benefits of the Parish Priest, as well as the salaries of other personnel of the Church Community;
- f) Incorporates in the Local Regulations any changes to fees for parochial rituals referred to in the General Regulations, according to circumstances in the Parish, and as approved by the Metropolitanate Executive Board;
- g) Renders decisions related to the building and repairing of any church building, school, parish home and other buildings, maintaining church structures and making improvements to Church Community property, and submits its decisions, along with plans, building estimates and other documents to the Metropolitanate Executive Board for approval;
- h) Deliberates on all other matters and proposals which are related to the Church Community;
- i) Proposes Operating Rules for the Assembly, which must be approved by the Metropolitanate Executive Board;
- j) Adopts, amends and removes any Local Regulations and adopts, amends or removes Bye-Laws of the Auxiliary Organisations of the Church Community provided that any such addition amendment or removal has prior written approval from the Metropolitanate Executive Board;
- k) Adopts a Parish Educational Program as approved by the Metropolitan and in accordance with the Regulations on Christian Education and allocates an amount in its budget for the implementation and maintenance of the Program; and
- l) Adopts budget(s) and the annual financial report of the Church Community and submits them to the Metropolitanate Executive Board for approval.

5. In the event that some important questions should arise during the course of the year which the Community Board is not authorised to decide and it is evident that its decision cannot be postponed until the Annual Assembly, the Board of the Church Community with the written approval of the Metropolitan may call a Special Assembly which can decide only upon the matters for which it was summoned.

6. Upon the written request of one-half (1/2) of the members of the Church Community, or if demanded by the Metropolitanate Executive Board the Community Board is obliged to call a Special Assembly.



7. For a Special Assembly which is to determine the sale, purchase, mortgage or lease for a term of more than ten (10) years including options or otherwise encumbering of church property, the erection of new buildings and major renovations or extensions to existing buildings, blessings must be sought in writing from the Metropolitan and permission given on behalf of the Metropolitanate Executive Board.
8. The Metropolitan may appoint his representative(s) to preside over or observe any Assembly or meeting of the Church Community.
9. The quorum for an Assembly, Annual or Special, is a simple majority (i.e. fifty percent plus one) of church community members. If a quorum is not present, another Assembly shall be called within fourteen (14) days. At such time the church community members present may make valid decisions.
10. With respect to matters pertaining to the sale or encumbering (i.e. mortgaging or long leasing) of Church Community property, the quorum for an Assembly shall be two thirds (2/3) of the church community members. In the event a quorum is not present, the Metropolitan shall have authority to reduce the two-thirds (2/3) quorum at a subsequent assembly.
11. All decisions at Annual or Special Assemblies are rendered by a simple majority vote of the church community members present, unless a greater majority is required by the Constitution, these Rules or the Local Regulations of the Church Community. In case of a tie, the Presiding Officer of the Assembly shall have a casting vote.
12. The Parish Priest as Presiding Officer of the Assembly may expel from the Assembly any church community member who abuses his privileges, creates disorder or obstructs the proceedings of the Assembly.
13. Should an Assembly exceed its jurisdiction and/or prevent the execution of the directives of the Metropolitan, the Metropolitanate Ecclesiastical Court or the Metropolitanate Executive Board, the Metropolitanate Executive Board is empowered to annul such decisions. Until a new Assembly is summoned, the Metropolitanate Executive Board may entrust the governing of the Church Community to the former Board or appoint an Interim Board. The Metropolitanate Executive Board will grant permission to call a new Assembly only when there is sufficient evidence that the Assembly will be conducted in accordance with the Constitution, these Rules, the General Regulations and the Local Regulations.
14. When two or more parishes with their Church Communities desire to merge, the Church Community Boards must obtain the initial agreement of the Metropolitan and the Metropolitanate Executive Board. The merger must be approved by two-thirds (2/3) of the church community members who are present at an Assembly of each Church Community. The decisions of these Assemblies must be submitted to the Metropolitan and the Metropolitanate Executive Board for final approval.

15. Decisions concerning the chartering, naming, districting, abolishing and changing of Church Communities are rendered by the Metropolitan in accordance with the provisions of the Constitution and in concert with the Ecclesiastical Court and Metropolitanate Assembly.

## **RULE 9                      CHURCH COMMUNITY BOARD    (21)**

1. The Church Community Board (hereinafter called the “Board”) is the executive body of the Church Community Assembly which administers the affairs of the Church Community pursuant to its given authority.

2. The Board is comprised of:

- a) Parish Priest;
- b) President;
- c) Vice-President;
- d) Secretary;
- e) Treasurer;
- f) Church Wardens;
- g) A member from each Church Community Auxiliary Organisation, which shall be its president; and
- h) Such other members-at-large as determined by the Local Regulations.

3. The term of office for members of the Board is for the period between Annual Assemblies. The office of President cannot be held for more than three consecutive terms unless otherwise determined by the Local Regulations.

4. To serve on the Board is a ministry and all Board members are called to worthily represent Christ and the Orthodox faith before all whom they meet and in all aspects of life. The service of members of the Board is honorary.

5. Candidates for the Board must have been a church community member for at least two (2) years and fulfil all of the requirements described in Rule seven (7) Paragraphs one (1), four (4) and six (6).

6. Candidates for the Board shall be nominated by the Nominating Committee elected at the previous Annual Assembly, unless otherwise determined by the Local Regulations:

- a) The Nominating Committee is comprised of the Parish Priest and not less than three (3) or more than five (5) church community members;
- b) The Nominating Committee should begin its work at least three (3) months before the Annual Assembly. Any church community member desiring to serve on the Board should notify the Nominating Committee;

- c) The Parish Priest shall announce in the church publication and in church the names of the members of the Nominating Committee; and
- d) At least two (2) weeks before the Annual Assembly, the Nominating Committee, subject to the approval of the Parish Priest, shall announce their nominations to the parishioners.

7. All candidates expressing an interest in serving on the Board shall meet with the Parish Priest, at which meeting the Parish Priest shall explain and discuss the Constitution and these Rules and the significance of the affirmation of office. At the conclusion of the meeting, the candidates must sign a statement acknowledging that they understand the Constitution and these Rules and will abide by them and the affirmation of office.

8. If there is more than one (1) candidate for an office, election is to be by secret ballot.

9. After the election of the Board, a list of new board members is to be sent immediately to the Metropolitan Executive Board, together with the verified minutes, for approval. This list is to be signed by the Parish Priest as Presiding Officer, and the Secretary of the Assembly. The outgoing Board is not released from duty until the new Board is approved and sworn in.

10. Complaints against the election of the Board or against individual members thereof are submitted, through the Parish Priest, within eight (8) days of the date of their election to the Metropolitan Executive Board. If the Metropolitan finds that the complaint is well justified and documented, he may withhold the approval of the election. Until final determination is made the affairs of the Church Community will be conducted by the former Board, or an appointed Interim Board.

11. The Metropolitan may approve the members of the Board who meet election qualifications and postpone only the approval of those members against whom a complaint is filed.

12. Newly-elected members of the Board take an oath of office in the parish church before the Parish Priest and in the presence of the Church Community and from that moment shall be considered members of the body to which they were elected. A person who refuses to take the oath cannot assume the duties of a member of the Board.

13. Whenever a vacancy occurs in Board positions, the vacancy shall be filled through direct appointment by the Metropolitan, upon the recommendation of the Board and Parish Priest, provided however, that the Metropolitan shall also have the authority to have the position filled at a Special Assembly.

14. In the event the Metropolitan Executive Board determines that a Board has failed to perform its duties in accordance with the teachings and the regulations of the Church, the Metropolitan Executive Board may dissolve the Board and appoint an Interim Board to perform the daily duties of

the Church Community until the Metropolitanate Executive Board determines that conditions have normalised for the election of a new Board.

15. The President summons the Board at least once a month. Should the Metropolitanate Executive Board or the majority of the Board members so require the President is obliged to call a meeting of the Board.

16. The Board may render valid decisions if the meeting is attended by a majority of its members, on the condition that the Parish Priest and President of the Board are present or that they have reviewed the agenda and given written permission for the meeting to take place in their absence. Decisions are rendered by a majority of the members present. Should the vote end in a tie, the presiding officer has a casting vote.

17. The Metropolitanate Executive Board may, if requested by the Board, or by official duty, suspend any member of the Board who neglects his/her duty or without justification, does not attend three (3) consecutive meetings, or who does not obey the decisions and directives of higher Church authorities and prevents the execution of their decisions and directives.

18. The Board performs the following:

- a) Announces the date of the Annual or a Special Assembly and decides the time and the place where it is to be held;
- b) Keeps in good order the Register of Church Community Members;
- c) Represents the interests of the Church Community whenever the need arises;
- d) Executes the decisions of the Assembly and directives from the Metropolitan, the Ecclesiastical Court and/or the Metropolitanate Executive Board;
- e) Proposes to the Assembly budgetary allocations for the Priest's full remuneration and benefits;
- f) Appoints and releases employed personnel and proposes in its budget to the Assembly the means of payment of said personnel and sees to it that the salaries are paid on time and in the prescribed manner;
- g) Seeks approval from the Metropolitan to issue official invitations to persons from outside the jurisdiction of the Metropolitanate.
- h) Keeps an inventory of personal and real properties of the Church Community in its archives;
- i) Proposes the means for acquiring funds for the building and repair of the church, school, parish home and other buildings; submits plans and building estimates to the Assembly for their initial approval and, thereafter, submits the same to the Metropolitanate authorities for final approval;
- j) Administers the property of the Church Community and provides for the needs of the Church Community;
- k) Prepares the agenda for the Assembly and takes care of all matters needed for the work of the Assembly;

- l) Prepares and submits budgets and annual financial statements to the Assembly for its review and approval and forwards the same to the Metropolitanate Executive Board for final approval;
- m) Submits reports of its work to the Assembly;
- n) Sees that the budget of the Church Community is realised;
- o) Cares for the Church Library;
- p) Regularly inspects the condition, maintenance, order and cleanliness of all buildings of the Church Community; and
- q) Regularly pays its prescribed assessments and financial obligations to the Metropolitanate, in accordance with the decisions of the Metropolitanate Assembly and the directives of the Metropolitanate Executive Board.

19. The Board is obliged in its entire work and decisions to strictly adhere to the provisions of the Constitution, these Rules, the General Regulations and the Local Regulations, as well as all the directives of the Metropolitan, the Ecclesiastical Court and/or the Metropolitanate Executive Board.

20. The grievances of individual church community members against the decisions of the Board of the Church Community must be submitted in writing to the Board, which as part of its official duties, must forward the grievance to the Metropolitanate Executive Board within eight (8) days.

21. In addition to the Parish Priest, the President of the Board is its lawful representative before both the civil and ecclesiastical authorities.

22. The President summons, opens and closes Board meetings, proposes matters for discussion, brings them to a vote and announces its findings and decisions. He/she ensures that peace and order is maintained at the meetings and that all members present strictly adhere to the agenda. He/she is the lawful custodian of the Church Community's seal, which is kept in the Church Community Office.

23. When the President of the Board is unable to perform his duties, the Vice-President is his/her substitute.

24. The President of the Board is the *ex-officio* delegate of his Church Community to the Metropolitanate Assembly. If the President is not able to attend meetings of that body, then the Vice-President shall be his/her substitute. In the event that the President or Vice-President, the elected member and elected alternate cannot attend the Metropolitanate Assembly, the Board may designate their substitutes.

25. The President and the other members of the Board are obliged to protect the dignity and honour of their priest and must not demand anything from him that would lessen his dignity.

26. The Secretary keeps the minutes of Board meetings; conducts all correspondence of the Church Community which he/she signs, together with

the President; maintains the register of official Church Community acts; maintains the Register of Church Community Members in agreement with the Parish Priest; and maintains the archives of the Church Community, all exclusively in the Church Office.

27. The Treasurer keeps a record of all the income and expenditures of the Church Community throughout the entire year; keeps the Register of Church Community Members, with regard to their contributions or stewardship obligations; receives monies and deposits them in the bank, pays the remuneration of the Parish Priest and the salaries of other personnel, and pays all bills. The Treasurer submits his/her financial report to the Board and to the Annual Assembly. He/she is responsible for paying out all assessments to the Metropolitanate. The Board may appoint a bookkeeper to assist the Treasurer.

28. The Wardens are to be present regularly in church at all church services and ceremonies; to receive money from the sale of candles, offering collections and other income, to submit the money so received to the Treasurer, and to care for all other matters connected with the church and church services.

#### **RULE 10 CHURCH COMMUNITY AUDIT BOARD (22)**

1. The Church Community Audit Board (hereinafter called the "Audit Board") is comprised of a president and two (2) or more members, elected by the Annual Assembly. The Church Community Assembly may in lieu of an Audit Board engage a Certified Public Accountant firm with the experience and necessary accreditation to perform an audit of the financial records of the Church Community.

2. Candidates for the Audit Board must have been church community members for at least two (2) years and fulfil all of the requirements described in Rule seven (7) Paragraphs one (1) four (4) and six (6), and who have experience in financial auditing and accounting matters.

3. After the election of the Audit Board, a list of its newly-elected members is to be sent with the list of new Board Members immediately to the Metropolitanate Executive Board for approval. This list is to be signed by the Parish Priest as Presiding Officer, and the Secretary of the Assembly.

4. Complaints against the election of the Audit Board or against individual members thereof are submitted, through the Parish Priest, within eight (8) days of the date of their election to the Metropolitanate Executive Board. If the Metropolitan finds that the complaint is well justified and documented, he may withhold the approval of the election. Until final determination is made the affairs of the Audit Board will be conducted by the former Audit Board, or an appointed Interim Audit Board.

5. The Metropolitan may approve the members of the Audit Board who meet election qualifications and postpone only the approval of those members against whom a complaint is filed.

6. Newly-elected and approved members of the Audit Board take an oath of office in the parish church before the Parish Priest and in the presence of the Church Community and from that moment shall be considered members of the body to which they were elected. A person who refuses to take the oath cannot assume the duties of a member of the Audit Board.

7. The Audit Board meets at least once during the fiscal year and reviews the handling of financial funds of the Church Community and submits its report to the Annual Assembly.

8. The Audit Board may perform the review of the financial records of the Church Community more than once a year, should the need be justified, or if the Metropolitanate Executive Board demands it.

#### **RULE 11                    AUXILIARY ORGANISATIONS (25)**

1. An Auxiliary Organisation such as a Circle of Serbian Sisters, a Serbian Orthodox Youth Association (hereinafter known as "SOYA"), a choir, folkloric group, catechetical, language and other schools, sports groups and senior citizens and other such organisations, may be formed in a Church Community to help the Church Community achieve its aims and purposes.

2. Decisions concerning the chartering, naming, districting, abolishing and changing of Auxiliary Organisations are rendered by the Church Community Board in accordance with the provisions of the Constitution, these Rules, the General Regulations and the Local Regulations.

3. A Church Community Auxiliary Organisation shall have its own Bye-Laws, which must be approved by the Church Community Assembly and ratified by the Metropolitan and the Metropolitanate Executive Board, and must comply with the Constitution, these Rules and the General Regulations.

4. The Parish Priest and the Board of the Church Community shall supervise the work of the local Auxiliary Organisations and shall give them the necessary instructions directives to ensure that the activities of these organisations are in accordance with the Constitution, these Rules and the teachings of the Church.

5. Each member of a Church Community Auxiliary Organisation must be a parishioner of the Parish in which he/she resides.

6. In the event that a Church Community Auxiliary Organisation has been disbanded by default and a Church Community Assembly cannot be summoned, the Metropolitan and the Metropolitanate Assembly shall have the power to declare the said entity dissolved or disbanded.

7. The properties of the dissolved entity shall devolve to the Metropolitanate to serve foremost for the renewal of church life in that territory, or as determined by the Metropolitanate Assembly.

## **RULE 12                    INCOME AND ASSETS<sup>18</sup> (26)**

1. All of the real and personal property which is owned by the Parishes, and Church Communities of the Metropolitanate and its integral constituent bodies, which is described in the Constitution, is held in trust for the use and benefit of all of the faithful of the Metropolitanate.

2. Income and Assets of Church Communities:<sup>19</sup>

- a) Each Church Community owns the real and personal property purchased by, donated to, or transferred to the Church Community on behalf of all the faithful, including but not limited to the churches, chapels, cemeteries, priest's homes (rectories), schools, cultural and social centres, picnic grounds, trusts, funds, institutions, foundations and any and all other real and personal property which serves the needs of the Church Community;
- b) The Church Community Assembly and the Church Community Board are the church-administrative authorities which manage, control and administer the real and personal property of the Church Community pursuant to the provisions of the Constitution and these Rules, the General Regulations, the Local Regulations and under the laws of the country or state where the property is located;
- c) The Metropolitanate Executive Board supervises the work of the Church Community Assembly and the Church Community Board with respect to the management, control and administration of real and personal property to the extent provided for in the Constitution, these Rules and the General Regulations;
- d) The real and personal property of a Church Community may only serve and be used for religious-ecclesiastical, educational and charitable-humanitarian purposes;
- e) For a Special Assembly which is to determine the sale, purchase, mortgage or lease for a term of more than ten (10) years including options or otherwise encumbering of church property, the erection of new buildings and major renovations or extensions to existing buildings, blessings must be sought in writing from the Metropolitan and permission given on behalf of the Metropolitanate Executive Board;
- f) The real and personal property of a Church Community may be held in a trust or legal entity as approved by the Metropolitanate Executive Board. The Church Community Assembly must adopt the governing documents of the trust or legal entity as provided by the Metropolitanate Executive Board in accordance with this Constitution. The provisions of existing governing documents of any association, corporation, trust or legal entity which are inconsistent with this Rule are of no force and effect;

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<sup>18</sup> Adopted by decision of the Metropolitanate Assembly of 05.09.2015 and ratified by decision of the Holy Assembly of Bishops No. 42/Min. 104 of 20.05.2016.

<sup>19</sup> Ibid.



- g) Any Trust and the election of every Trustee or member of a Trust undertaken by an Assembly of the Church Community must be approved by the Metropolitan on behalf of the Metropolitanate Executive Board. The Metropolitan by virtue of his office may remove any Trustee or members of a Trust who do not abide by the Constitution;
- h) In the event that a Church Community is merged with another Church Community pursuant to the Constitution, these Rules and the General Regulations, the real and personal property of the Church Community shall be conveyed to the surviving Church Community. In the event that a Church Community is dissolved pursuant to the Constitution, these Rules and the General Regulations, the real and personal property of the Church Community shall be conveyed to the Metropolitanate; and
- i) The Metropolitanate Executive Board shall provide a standardised Deed of Trust and governing documents for any legal entity for use by each Church Community.

3. All income and assets of the Parish and its Church Community shall be applied solely to further the objectives of the Parish, its Church Community and the Metropolitanate and no portion shall be distributed directly or indirectly to the members of the Church Community except as genuine compensation for services rendered or expenses incurred on behalf of the Church Community.<sup>20</sup>

#### **RULE 13                      SPECIAL BEQUESTS (27)**

Private persons may specifically designate as bequests real and personal property, including but not limited to land, buildings and funds, to be used by and dedicated in trust for the entire Metropolitanate or a specific Church Community. Prior to their dedication, the relevant church-administrative authorities for the entity for whose benefit the property is dedicated in trust must approve the governing document for the administration of the property and/or funds held in trust.

#### **RULE 14                      OTHER PROPERTY (28)**

The Metropolitanate Executive Board is the church-administrative authority, which manages, controls and administers any real and personal property which is owned by the Metropolitanate or any of its integral constituent bodies but is not specifically identified in these Rules.

#### **RULE 15                      DISSOLUTION (29)**

1. When it is determined by the Church Community Board or an Auxiliary Organisation Board that it is incapable of sustaining these church entities or desires to be dissolved, with the approval of the Metropolitan, the Church Community Board shall summon an Assembly. If two-thirds (2/3) of the church

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<sup>20</sup> Ibid.

community members in good standing favour such dissolution, the Church Community Board submits a request to the Metropolitan and the Metropolitanate Assembly to dissolve the same.

2. In the event that a Church Community or an Auxiliary Organisation has been disbanded by default and a Church Community Assembly cannot be summoned, the Metropolitan and the Metropolitanate Assembly shall have the power to declare the said entity dissolved or disbanded.

3. All income and assets, and including the properties of the dissolved entity shall devolve to the Metropolitanate to serve foremost for the renewal of church life in that territory, or as determined by the Metropolitanate Assembly.<sup>21</sup>

#### **RULE 16 HERESY, SCHISM OR DEFECTION (30)**

In the event of heresy, schism or defection from the Metropolitanate, title, management, administration and control of any affected property shall be entrusted by the Church to those who remain loyal to the Metropolitanate.

#### **RULE 17 CHURCH TAXES (32)**

1. The regulations for standard taxes, if any, to be appropriated by the Parish Priest for parochial rituals are determined by the Metropolitan in concert with the Ecclesiastical Court which shall be included in the General Regulations.

2. The regulations for applicable taxes for Church Community or Mission Parish facility usage are determined by the Church Community Board or Mission Parish Council, according to its circumstances, which are submitted for approval to the Metropolitan Executive Board and if approved shall be included in the amendments to its Local Regulations.

#### **RULE 18 CHURCH OATHS (33)**

1. All newly-elected members of a Church Community Board, upon the assumption of their duties, shall take an Oath of Office before their Parish Priest as prescribed in the General Regulations.

2. All newly-accepted members of a Church Community prior to being enrolled in the Register of Church Community Members shall take an oath before the Parish Priest as prescribed in the General Regulations.

#### **RULE 19 SEALS (4)**

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<sup>21</sup> Ibid.

The Parish and its Church Community have their seals with the official Coat-of-Arms of the Serbian Orthodox Church in the centre and the corresponding inscription circumscribed.

**RULE 20                    OFFICIAL LANGUAGES (5)**

The official languages of the Parish and its Church Community are Serbian written in Cyrillic and English.

**RULE 21                    TEXT (34)**

For all purposes, the English text of these Rules shall be the official text.

**RULE 22                    LOCAL REGULATIONS**

The Church Community Assembly may adopt, amend or remove Local Regulations as country, state specific and local needs require, provided the same are not inconsistent with the Constitution and the Rules and provided that any such Regulation has prior written approval from the Metropolitanate Executive Board.

**RULE 23                    AMENDMENTS**

These Rules may be amended by a simple majority vote of all the members present at a regular or special Metropolitanate Assembly and by approval of the Metropolitan. Changes and amendments become effective immediately upon approval by the Metropolitan.

**RULE 24                    INTERPRETATION**

In these Rules, unless the context or subject matter otherwise indicates or requires:

- a) "Serbian Orthodox Church" means the Autocephalous Serbian Orthodox Church with its See in Belgrade, Serbia (1);
- b) "Metropolitanate" means the Metropolitanate of Australia and New Zealand which is body of Orthodox Christians, canonically and hierarchically an integral part of the Autocephalous Serbian Orthodox Church (1);
- c) "Metropolitan" means the Spiritual Head of the Metropolitanate in all matters pertaining to teaching, liturgical-sacerdotal officiation and governance and who is elected and appointed by the Holy Assembly of Bishops of the Serbian Orthodox Church (9);
- d) "Metropolitanate Ecclesiastical Court" means the Metropolitan's tribunal for ecclesiastical adjudication and internal church matters as provided for in the Constitution (10);

- e) "Deanery" means a church territorial unit, which is comprised of a designated number of Parishes and their Church Communities and Mission Parishes (11);
- f) "Dean" means an active or retired cleric who is appointed and relieved by the Metropolitan and who is responsible for the supervision of an Deanery (12);
- g) "Metropolitanate Assembly" means the Metropolitanate legislative body in external matters of church administration as provided for in the Constitution (12);
- h) "Metropolitanate Executive Board" means The Metropolitanate Executive Board is the executive authority in matters of external church administration in the Metropolitanate and is the executive body of the Metropolitanate Assembly (14);
- i) "Constitution" means the Constitution of the Metropolitanate;
- j) "Rules" mean these Rules;
- k) "General Regulations" mean the General Regulations of the Metropolitanate;
- l) "Local Regulations" mean the Local Regulations of the Church Community;
- m) "Regulations on Christian Education" as issued by the Metropolitan (9.9.d);  
and
- n) "Rules and Procedures for Ecclesiastical Courts of the Serbian Orthodox Church" as issued by the Holy Assembly of Bishops (9.8.p,q).

**RULE 25                    IMPLEMENTATION**

These Rules shall be implemented pursuant to the Implemental Regulations.



# **RULES**

## **FOR MISSION PARISHES**

### **OF THE**

## **METROPOLITANATE OF**

# **AUSTRALIA AND NEW ZEALAND OF**

## **THE SERBIAN ORTHODOX CHURCH**

### **RULE 1 NAME**

The name of the Mission Parish shall be

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### **RULE 2 ORGANISATION (7)**

1. The organisation of the Mission Parish is church-hierarchical and church-administrative.
2. Church-spiritual, church-disciplinary and church-juridical authority, according to the Canons and structure of the Serbian Orthodox Church, belong exclusively to the Hierarchy. The Hierarchy exercises that authority through their church-hierarchical representatives and bodies.
3. The church-hierarchical governing authorities within the Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church (hereinafter called the "Metropolitanate") are the:
  - a) Metropolitan;
  - b) Metropolitanate Ecclesiastical Court;
  - c) Dean; and
  - d) Parish Priest.

4. Matters pertaining to the administration of real and personal property of the Mission Parish are under the supervision of the Metropolitan, clergy and laity of the respective church-administrative bodies of the Metropolitanate.

5. The church-administrative governing authorities are the:

- a) Metropolitanate Assembly;
- b) Metropolitanate Executive Board;
- c) Mission Parish Assembly; and
- d) Mission Parish Council.

### **RULE 3 JURISDICTION (2) (6)**

1. The Mission Parish is an integral part of the Metropolitanate and as such must recognise its authority and jurisdiction.

2. The Mission Parish must be governed in accordance with the provisions of the Constitution, these Rules, the General Regulations, the Local Regulations, and the decisions of the proper ecclesiastical authorities

3. All governing documents of the Mission Parish must be consistent with the Constitution. Any provisions inconsistent with the Constitution are of no force and effect.

### **RULE 4 MISSION PARISH (23)**

1. The Mission Parish is an organised community of Orthodox persons within a designated geographical territory of the Metropolitanate that does not meet the qualifications necessary for a Parish as foreseen in the Constitution.

2. There can be more than one Mission Parish in one geographic territory and more than one locality may be combined into one Mission Parish. The Mission Parish is headed by a Parish Priest with a Mission Parish Council that is appointed on the recommendation of the Parish Priest by the Metropolitan who determines the scope of their work.

3. The same criteria set forth in the Constitution and in Rule seven (7) shall apply to determine whether a Parishioner is eligible to be a steward of the Mission Parish.

4. Decisions concerning the chartering, naming, districting, abolishing and changing of Mission Parishes are rendered by the Metropolitan in accordance with the Constitution and in concert with the Ecclesiastical Court and Metropolitanate Assembly.

5. The Mission Parish shall have an office where are kept its seal, stamp, metrical books, church protocols, and other Mission Parish archives.

6. The Mission Parish Office must possess: a seal, dry seal, daily protocol, metrical books: births and baptisms, marriages, deaths, reception of converts, home registry and archives.

7. The Parish Priest is the keeper of the Mission Parish seal and all official records, correspondence and documents must be issued with that seal affixed.

8. When transferring from a Parish or Mission Parish to another, a parishioner shall present to the Parish Priest of the new Parish or Mission Parish a certificate of transfer signed by his/her former Parish Priest, which shall include all the pertinent information about the transferring parishioner.

#### **RULE 5                      PARISH PRIEST (17)**

1. The Parish Priest is that person canonically ordained and appointed by the Metropolitan to a particular Mission Parish.

2. As head of the Mission Parish he represents the Mission Parish in all matters and is responsible directly to the Metropolitan.

3. Every Parish Priest performs his parochial duties and conducts his Parish affairs independently of any Mission Parish Council, and stands under the immediate control of the Dean, and under the supreme control and direction of the Metropolitan and the Ecclesiastical Court.

4. The Mission Parish is neither authorised to discharge its Priest, nor to bring another in his place.

5. The Parish Priest can be transferred or removed from the Mission Parish only by direction of the Metropolitan.

6. The Parish Priest:

- a) As the head of the Mission Parish is required to reside in the Mission Parish's designated territory, unless exempted by the Metropolitan according to local circumstances;
- b) Is assigned or transferred within the Metropolitanate according to the needs of the Metropolitanate by the Metropolitan, *ex officio*, and on the basis of the Holy Canons and ecclesiastical jurisprudence; and
- c) May retire at any time with approval of the Metropolitan. A Parish Priest must retire at the age gazetted for entitlement to an aged pension by the laws of the country in which he resides. The Metropolitan may utilise the priest's service beyond the prescribed age, with his agreement.

7. Where there is more than one priest attached to one church, the Metropolitan appoints one of them to be the Rector of the church and, simultaneously, to be in charge of the Mission Parish Office. The Rector is responsible for order in the church and Mission Parish Office.

8. If a formal complaint is submitted against a Parish Priest, the Metropolitan may suspend the Priest until the Ecclesiastical Court renders its judgment. The Ecclesiastical Court must consider such a matter to be urgent and is obliged to decide the matter within one (1) year.
9. A Parish Priest under temporary suspension shall receive one half (1/2) of his regular remuneration and the remainder shall be paid to his substitute.
10. A Parish Priest cannot leave his Mission Parish vacant without the consent and release of the Metropolitan. The Mission Parish shall be informed of the release in a timely fashion.
11. Before leaving the Mission Parish the Parish Priest must surrender in good and correct order to his successor or to whomever the Metropolitan may designate the metrical books and all other ecclesiastical books, as well as the church and all property, which was administered by him.
12. The Parish Priest, as head of the Mission Parish church with respect to his work, is under the direct control of the Metropolitan who performs this control personally or through his Dean. The Parish Priest exclusively answers to and is responsible to the Metropolitan and the Ecclesiastical Court.
13. All grievances from the Mission Parish Council or of an individual against the Parish Priest must be submitted in writing to the Metropolitan through the Episcopal Dean and a copy of the letter must be sent to the Parish Priest. The Episcopal Dean is required within 8 days of receiving the complaint(s), to submit them in the prescribed written manner by mail, to the Metropolitan for review and determination. The Metropolitan may submit it to the Ecclesiastical Court for further action.
14. All grievances of the Parish Priest against his Mission Parish Council or an individual must be submitted by the Parish Priest in writing to the Metropolitan and a copy of the letter must be sent to the subject individual or Council. The Metropolitan either decides the matter himself or submits it to the Ecclesiastical Court for further action.
15. The Parish Priest must not perform any rites in a Mission Parish or Parish not his own without the consent of the Priest of the other Parish. In exceptional circumstances, the Metropolitan may direct a priest to perform a church rite in a Mission Parish not his own.
16. No Parishioner or Mission Parish Council is permitted to bring in a priest from outside the Mission Parish to perform church rites. In the event that this regulation is violated, the Metropolitan, the Ecclesiastical Court and/or the Metropolitanate Executive Board are obligated to act accordingly.
17. Among the duties of the Parish Priest are the following:
  - a) To serve the Divine Liturgy and other church services according to Church rules;



- b) To regularly preach the Word of God and teach his Parishioners in the church and in any other suitable place;
- c) To serve as an example to his Parishioners in both his personal and family life;
- d) To regularly visit sick Parishioners in their homes and hospitals, to extend to them pastoral care and consolation and to administer the Holy Mysteries (Sacraments);
- e) To keep and tend to the church metrical books, the official church register of families and the annual church chronicle, to care for church inventory, to ensure the beauty of church services and to supervise the order within and cleanliness of the church itself;
- f) To issue official excerpts from the church metrical books, which are notarised by the Parish Priest's signature and the seal;
- g) To participate with full rights and responsibilities in the work of the Mission Parish, the Mission Parish Council, the Mission Parish Assembly and any Mission Parish Auxiliary Organisations, and to provide them with the necessary instructions for their work;
- h) To appoint and release, in concert with the Mission Parish Council, the personnel which maintains the church building, the church cantors and wardens, and to instruct, supervise and administer them in their service;
- i) To instruct and direct all cantors, choir singers, church building maintenance personnel, sacristans and church wardens in order to ensure the dignity of and respect for both the consecrated church site and the divine church services. These persons must all strictly adhere to the directives of the Parish Priest;
- j) To submit an annual report of his work to the Metropolitan and the Mission Parish Assembly;
- k) To personally encourage and to become actively involved in supporting the activities of his Parishioners with respect to the acquisition or construction of a Mission Parish church, Mission Parish house, and other church buildings;
- l) To work toward and be concerned with the advancement of the Mission Parish; and
- m) To be in charge of the entire Mission Parish Educational Program, as prescribed by the "Regulations on Christian Education" as issued by the Metropolitan. The Parish Priest is assisted by church school staff, which is appointed by the Metropolitan upon the recommendation of the Parish Priest.

18. The Parish Priest is entitled to the following remuneration and benefits:

- a) Minimum annual remuneration and benefits are determined by the Metropolitanate Assembly. The remuneration is adjusted at the beginning of each fiscal year in accordance with the Consumer Price Index (CPI) of the country in which he serves. The basis for this adjustment shall be the Parish Priest's remuneration from the previous year;

- b) An appropriately functional residence, including heating/cooling, electricity, water and appropriate access to telecommunication utilities, or a corresponding monetary allowance;
- c) Superannuation as determined by relevant legislation in Australia and New Zealand as the case may be;
- d) Workers Compensation Insurance as required by relevant legislation in Australia and New Zealand as the case may be;
- e) A proportional payment for private health insurance for himself, his spouse and his dependent children as determined by the Local Regulations, if he is not entitled to be covered by the government health system;
- f) Reasonable allowance for vehicle expenses and official travel; and
- g) Annual and long-service leave as determined by relevant legislation in Australia and New Zealand as the case may be. The Mission Parish shall pay the expenses related to any substitute. If a Priest does not use his annual leave and during that period performs his Parish duties, the Priest shall receive his regular salary and his unused annual leave may be paid to him. Unpaid annual leave cannot accrue for more than three (3) years.

19. The Mission Parish cannot decrease the remuneration and benefits of the Parish Priest without the consent of the Metropolitan and the Metropolitanate Executive Board.

20. During a period of prolonged illness the Parish Priest shall receive all his regular remuneration and benefits in the period prescribed by the laws of the country in which he resides, but not to exceed three (3) months. The substitute priest during the Parish Priest's illness is appointed by the Metropolitan and is compensated by the Mission Parish.

21. In the event of the death of the Parish Priest, the "Clergy Fund" of the Metropolitanate will pay his family his regular remuneration for at least three (3) months and his family cannot be removed from the Mission Parish home for at least three (3) months from the date of his death. The Mission Parish Administrator is appointed by the Metropolitan and is compensated by the Mission Parish.

22. It shall be mandatory for each Parish Priest to join and maintain membership in any Church-established benefits programs and the Clergy Superannuation Fund in accordance with the provisions of the said programs.

23. The Parish Priest may take a private leave-of-absence from his Mission Parish only with the permission of the Metropolitan, if the Parish Priest finds a canonical substitute. The Parish Priest shall inform the Mission Parish Council of the same.

**RULE 6                      DEACON (18)**

1. A Deacon is a canonically ordained person and appointed by the Metropolitan to a designated service in the Metropolitanate.

2. Mission Parishes may have one or more deacons if they are able to support them financially, and as the Metropolitan deems necessary.
3. The Deacons enjoy the same rights and benefits as the Parish Priest.
4. Deacons assist the Parish Priest in administrative matters and other duties assigned to them by the Parish Priest.
5. Years in the Diaconate are recognised in the same manner as the years in priestly service.
6. Deacons with secular employment are under the supervision of the Metropolitan. They are attached to a specific Parish. They may serve in a Mission Parish and preach only with the blessing of the Metropolitan and with the knowledge of the Parish Priest. The Mission Parish has no financial obligation towards them.

#### **RULE 7                      STEWARDS (19)**

1. Stewards are those parishioners of the Mission Parish who have voluntarily obligated themselves to assist in the administration and maintenance of local church property for the benefit of the Mission Parish and for its religious life, pursuant to Regulation four (4) of the General Regulations.
2. Every baptised and chrismated Orthodox Christian on the territory of the Mission Parish is a parishioner of the Mission Parish. The religious, moral and social duties of a steward are to apply the tenets of the Orthodox faith to his/her life; to adhere to and live according to the tenets of the Orthodox faith; faithfully participate in the Divine Liturgy and other worship services; regularly receive the Holy Mysteries (Sacraments); respect all authority and all governing bodies of the Church; be obedient in matters of faith, practice and ecclesiastical order; contribute materially and financially to the support of the Church and its mission; and be an effective witness and example of the Orthodox faith and traditions to all people.
3. Only a steward has the right to attend, participate and vote in Mission Parish Assemblies and be nominated for appointment to the Mission Parish Council or as a delegate to Metropolitanate Assemblies.
4. In order to be considered, and to continue, to be a steward and to have the rights and privileges as set out in the Constitution and these Rules, a person must, at a minimum:
  - a) Have been a parishioner for at least six (6) months
  - b) Practice all the religious and moral duties as described in Rule seven (7) Paragraphs one (1) and four (4) above;
  - c) Be at least 18 years old;

- d) Be current in his/her contributions or stewardship obligations as set out in the General Regulations;
- e) Abide by all of the provisions of the Constitution, these Rules, the General Regulations and the Local Regulations; and
- f) Cooperate in every way towards the welfare and well being of the Mission Parish.

5. Each Mission Parish shall adopt procedures and maintain records as prescribed by the General Regulations to enable the Parish Priest and Mission Parish Council to determine whether a person meets and continues to meet the criteria applicable to a steward. The Parish Priest, in tandem with the Mission Parish Council, shall oversee maintaining the Register of Stewards.

6. Where the Mission Parish has been dissolved, the same criteria set forth in Rule seven (7) Paragraph six (6) shall apply to determine whether a person is eligible to be a steward of a another Parish or Mission Parish.

7. If the Parish Priest and the Mission Parish Council determine a person to be unfit as a steward and that by his/her work he/she harms the general well being of the Mission Parish, they will make a proposal to the Metropolitanate Executive Board for his/her expulsion from the Register of Stewards.

8. A person who is determined not to be or no longer a steward, or one who is expelled, has the right to appeal to the Metropolitanate Executive Board within fourteen (14) days from the day he/she received the decision of the Mission Parish Council. The decision of the Metropolitanate Executive Board on appeals is final and obligatory for both parties.

9. No one can be a parishioner of more than one Parish and therefore a steward of more than one Mission Parish.

10. If a Mission Parish steward moves from the territory of the Mission Parish to another Mission Parish, he/she shall be considered a steward in the new Mission Parish. If a Mission Parish steward moves to the territory of a Parish and its Church Community, he/she shall be considered a member in the new Parish and its Church Community.

**RULE 8                      MISSION PARISH ASSEMBLY (20)**

1. The Mission Parish Assembly (hereinafter called the “Assembly”) is the consultative legislative body of the Mission Parish in external matters of local administration. An Assembly is comprised of all the stewards of the Mission Parish. The Parish Priest, on behalf of the Metropolitan, is the Presiding Officer of the Assembly, unless an appointment is made pursuant to Paragraph nine (9) of this Rule.

2. The Mission Parish Council decides the agenda, date and place of an Assembly provided that an Annual Assembly must be held within four (4)

months of the end of the financial year of the Mission Parish. A written notice with the agenda is sent to all stewards at least fourteen (14) days before the Assembly. The Parish Priest will announce in church the time and place of the Assembly. Questions and proposals which arise outside of the agenda must be submitted in writing by any steward at least one week in advance of the Assembly and shall be incorporated at the discretion of the Mission Parish Council.

3. The financial year of the Mission Parish shall begin on the 1<sup>st</sup> of July and will conclude on the 30<sup>th</sup> of June unless otherwise stated in the General Regulations.

4. The Parish Priest opens an Assembly with prayer and opens nominations for the election of the remainder of the Presidium of the Assembly: the Vice-President and Secretary.

5. The Annual Assembly performs the following duties:

- a) Elects the Presidium of the Assembly, except for the Presiding Officer;
- b) Elects delegates to the Metropolitanate Assembly;
- c) Receives the nominations by the Parish Priest of candidates for the Mission Parish Council;
- d) Incorporates in the Local Regulations any changes to fees for parochial rituals referred to in the General Regulations, according to circumstances in the Mission Parish, and as approved by the Metropolitanate Executive Board;
- e) Renders decisions related to the building and repairing of any church building, school, Mission Parish home and other buildings, maintaining church structures and making improvements to Mission Parish property, and submits its decisions, along with plans, building estimates and other documents to the Metropolitanate Executive Board for approval;
- f) Deliberates on all other matters and proposals which are related to the Mission Parish;
- g) Adheres to the "Operating Rules" for the Assembly, as approved by the Metropolitanate Executive Board;
- h) Adopts, amends and removes any Local Regulations and adopts, amends or removes Bye-Laws of Auxiliary Organisations of the Mission Parish provided that any such addition amendment or removal has prior written approval from the Metropolitanate Executive Board;
- i) Adopts a Mission Parish Educational Program as approved by the Metropolitan and in accordance with the "Regulations on Christian Education" and allocates an amount in its budget for the implementation and maintenance of the Program; and
- j) Adopts budget(s) and the annual financial report of the Mission Parish and submits them to the Metropolitanate Executive Board for approval.

6. In the event that some important questions should arise during the course of the year which the Mission Parish Council is not authorised to

decide and it is evident that its decision cannot be postponed until the Annual Assembly, the Mission Parish Council with the written approval of the Metropolitan may call a Special Assembly which can decide only upon the matters for which it was summoned.

7. Upon the written request of one-half (1/2) of the stewards or if demanded by the Metropolitanate Executive Board the Mission Parish Council is obliged to call a Special Assembly.

8. For a Special Assembly which is to determine the sale, purchase, mortgage or lease for a term of more than ten (10) years including options or otherwise encumbering of church property, the erection of new buildings and major renovations or extensions to existing buildings, blessings must be sought in writing from the Metropolitan and permission given on behalf of the Metropolitanate Executive Board.

9. The Metropolitan may appoint his representative(s) to preside over or observe any Assembly or meeting of the Mission Parish Council.

10. The quorum for an Assembly, Annual or Special, is a simple majority (i.e. fifty percent plus one) of stewards. If a quorum is not present, another Assembly shall be called within fourteen (14) days. At such time the stewards present may make valid decisions.

11. With respect to matters pertaining to the sale mortgage or lease for a term of more than ten (10) years including options or otherwise encumbering of Mission Parish property, the quorum for an Assembly shall be two thirds (2/3) of the stewards. In the event a quorum is not present, the Metropolitan shall have authority to reduce the two-thirds (2/3) quorum at a subsequent Assembly.

12. All decisions at Annual or Special Assemblies are rendered by a simple majority vote of the stewards present, unless a greater majority is required by the Constitution, these Rules or the Local Regulations of the Mission Parish. In case of a tie, the Presiding Officer of the Assembly shall have a casting vote.

13. The Presiding Officer of the Assembly may expel from the Assembly any Mission Parish steward who abuses his privileges, creates disorder or obstructs the proceedings of the Assembly.

14. Should an Assembly exceed its jurisdiction and/or prevent the execution of the directives of the Metropolitan, the Metropolitanate Ecclesiastical Court or the Metropolitanate Executive Board, the Metropolitanate Executive Board is empowered to annul such decisions. Until a new Assembly is summoned, the Metropolitanate Executive Board may entrust the governing of the Mission Parish to the former Mission Parish Council or appoint an Interim Council. The Metropolitanate Executive Board will grant permission to call a new Assembly only when there is sufficient

evidence that the Assembly will be conducted in accordance with the Constitution, these Rules, the General Regulations and the Local Regulations.

15. When two or more Mission Parishes desire to merge, the Mission Parish Councils must obtain the initial agreement of the Metropolitan and the Metropolitanate Executive Board. The merger must be approved by two-thirds (2/3) of the stewards who are present at an Assembly of each Mission Parish. The decisions of these Assemblies must be submitted to the Metropolitan and the Metropolitanate Executive Board for final approval.

## **RULE 9                      MISSION PARISH COUNCIL (21)**

1. The Mission Parish Council is the executive body of the Mission Parish Assembly which administers the affairs of the Mission Parish pursuant to its given authority.

2. The Mission Parish Council is comprised of:

- a) Parish Priest;
- b) President;
- c) Vice-President;
- d) Secretary;
- e) Treasurer;
- f) Church Wardens;
- g) A member from each Mission Parish Auxiliary Organisation, which shall be its president; and
- h) Such other members-at-large as determined by the Local Regulations.

3. The term of office for members of the Mission Parish Council is for the period between Annual Assemblies. The office of President cannot be held for more than three consecutive terms unless otherwise determined by the Local Regulations.

4. To serve on the Mission Parish Council is a ministry and all Mission Parish Council members are called to worthily represent Christ and the Orthodox faith before all whom they meet and in all aspects of life. The service of members of the Mission Parish Council is honorary.

5. Candidates for the Mission Parish Council must fulfil all of the requirements described in Rule seven (7) Paragraphs one (1), four (4) and six (6).

6. Candidates for the Mission Parish Council shall be nominated for appointment by the Parish Priest and their nomination shall be announced at the Annual Assembly.

7. All candidates shall meet with the Parish Priest, at which meeting the Parish Priest shall explain and discuss the Constitution and these Rules and the significance of the affirmation of office. At the conclusion of the meeting, the candidates must sign a statement acknowledging that they understand the Constitution and these Rules and will abide by them and the affirmation of office.

8. Members of the Mission Parish Council shall be appointed by the Metropolitan and take office upon notification of the appointment and after taking of the oath of office. The members of the previous Mission Council are not released from duty until the new Mission Parish Council is approved and sworn in.

9. Newly-appointed members of the Mission Parish Council take an oath of office in the Mission Parish church before the Parish Priest and in the presence of Parishioners and from that moment shall be considered members of the body to which they were appointed. A person who refuses to take the oath cannot assume the duties of a member of the Mission Parish Council.

10. Whenever a vacancy occurs in Mission Parish Council positions, the vacancy shall be filled through direct appointment by the Metropolitan, upon the recommendation of the Parish Priest.

11. In the event the Metropolitanate Executive Board determines that a Mission Parish Council has failed to perform its duties in accordance with the teachings and the regulations of the Church, the Metropolitanate Executive Board may dissolve the Mission Parish Council and appoint an Interim Council to perform the daily duties of the Mission Parish until the Metropolitanate Executive Board determines that conditions have normalised for the election of a new Mission Parish Council.

12. The President summons the Mission Parish Council at least once a month. Should the Metropolitanate Executive Board or the majority of the Mission Parish Council members so require the President is obliged to call a meeting of the Mission Parish Council.

13. The Mission Parish Council may render valid decisions if the meeting is attended by a majority of its members, on the condition that the Parish Priest and President of the Mission Parish Council are present or that they have reviewed the agenda and given written permission for the meeting to take place in their absence. Decisions are rendered by a majority of the members present. Should the vote end in a tie, the Parish Priest has a casting vote.

14. The Metropolitanate Executive Board may, if requested by the Mission Parish Council, or by official duty, suspend any member of the Mission Parish Council who neglects his/her duty or without justification, does not attend three (3) consecutive meetings, or who does not obey the decisions and directives of higher Church authorities and prevents the execution of their decisions and directives.



15. The Mission Parish Council performs the following:

- a) Announces the date of the Annual or a Special Assembly and decides the time and the place where it is to be held;
- b) Keeps in good order the Register of Stewards;
- c) Represents the interests of the Mission Parish whenever the need arises;
- d) Executes the decisions and directives from the Metropolitan, the Ecclesiastical Court and/or the Metropolitanate Executive Board;
- e) Proposes to the Metropolitanate Executive Board and presents to the Assembly budgetary allocations for the Parish Priest's full remuneration and benefits;
- f) Appoints and releases employed personnel and proposes in its budget to the Metropolitanate Executive Board the means of payment of said personnel and sees to it that the salaries are paid on time and in the prescribed manner;
- g) Seeks approval from the Metropolitan to issue official invitations to persons from outside the jurisdiction of the Metropolitanate.
- h) Keeps an inventory of personal property of the Mission Parish in its archives;
- i) Proposes the means for acquiring funds for the building and repair of any church, school, Mission Parish home and other buildings used by the Mission Parish; submits plans and building estimates to the Assembly for their consideration and, thereafter, submits the same to the Metropolitanate authorities for final approval.
- j) Administers the property owned by or used by the Mission Parish and provides for the needs of the Mission Parish;
- k) Prepares the agenda for the Assembly and takes care of all matters needed for the work of the Assembly;
- l) Prepares and submits budgets and annual financial statements to the Assembly for their review and forwards the same to the Metropolitanate Executive Board for approval;
- m) Submits reports of its work to the Assembly;
- n) Sees that the budget of the Mission Parish is realised;
- o) Cares for the Church Library;
- p) Regularly inspects the condition, maintenance, order and cleanliness of all buildings of or used by the Mission Parish; and
- q) Regularly pays its prescribed assessments and financial obligations to the Metropolitanate, in accordance with the decisions of the Metropolitanate Assembly and the directives of the Metropolitanate Executive Board.

16. The Mission Parish Council is obliged in its entire work and decisions to strictly adhere to the provisions of the Constitution, these Rules, the General Regulations and the Local Regulations, as well as all the directives of the Metropolitan, the Ecclesiastical Court and/or the Metropolitanate Executive Board.

17. The grievances of individual stewards against the decisions of the Mission Parish Council must be submitted in writing to the Parish Council, which as part of its official duties, must forward the grievance to the Metropolitanate Executive Board within eight (8) days.

18. In addition to the Parish Priest, the President of the Mission Parish Council is its lawful representative before both the civil and ecclesiastical authorities.

19. The President summons, opens and closes Mission Parish Council meetings, proposes matters for discussion, brings them to a vote and announces its findings and decisions. He/she ensures that peace and order is maintained at the meetings and that all members present strictly adhere to the agenda.

20. When the President of the Mission Parish Council is unable to perform his duties, the Vice-President is his/her substitute.

21. The President of the Mission Parish Council is the *ex-officio* delegate of his Mission Parish to the Metropolitanate Assembly. If the President is not able to attend meetings of that body, then the Vice-President shall be his/her substitute. In the event that the President or Vice-President, the elected delegate and elected alternate cannot attend the Metropolitanate Assembly, the Mission Parish Council may designate their substitutes.

22. The President and the other members of the Mission Parish Council are obliged to protect the dignity and honour of their priest and must not demand anything from him that would lessen his dignity.

23. The Secretary keeps the minutes of Mission Parish Council meetings; conducts all correspondence of the Mission Parish which he/she signs, together with the President; maintains the register of official Mission Parish acts; maintains the Register of Stewards in agreement with the Parish Priest; and maintains the archives of the Mission Parish, all exclusively in the Church Office.

24. The Treasurer keeps a record of all the income and expenditures of the Mission Parish throughout the entire year; keeps a Register of Stewards, with regard to their contributions or stewardship obligations; receives monies and deposits them in the bank, pays the remuneration of the Parish Priest and the salaries of other personnel, and pays all bills. The Treasurer submits his/her financial report to the Mission Parish Council and to the Annual Assembly. He/she is responsible for paying out all assessments to the Metropolitanate. The Mission Parish Council may appoint a bookkeeper to assist the Treasurer.

25. The Wardens are to be present regularly in church at all church services and ceremonies; to receive money from the sale of candles, offering collections and other income, to submit the money so received to the

Treasurer, and to care for all other matters connected with the church and church services.

**RULE 10                    MISSION PARISH AUDIT BOARD (22)**

1.     The Mission Parish Audit Board (hereinafter called the “Audit Board”) is comprised of a president and two (2) or more members, appointed by the Metropolitan. The Metropolitan may in lieu of an Audit Board require the Council to engage a Certified Public Accountant firm with the experience and necessary accreditation to perform an audit of the financial records of the Mission Parish.

2.     Candidates for the Audit Board must have been recommended by the Parish Priest and have been stewards for at least two (2) years and fulfil all of the requirements described in Rule seven (7) Paragraphs one (1) four (4) and six (6), and who have experience in financial auditing and accounting matters.

3.     Newly-appointed members of the Audit Board take an oath of office in the Mission Parish church before the Parish Priest and in the presence of parishioners and from that moment shall be considered members of the body to which they were appointed. A person who refuses to take the oath cannot assume the duties of a member of the Audit Board.

4.     The Audit Board meets at least once during the fiscal year and reviews the handling of financial funds of the Mission Parish and submits its report to the Metropolitanate Executive Board and the Mission Parish Assembly.

5.     The Audit Board may perform the review of the financial records of the Mission Parish more than once a year, should the need be justified, or if the Metropolitanate Executive Board demands it.

**RULE 11                    AUXILIARY ORGANISATIONS (25)**

1.     An Auxiliary Organisation such as a Circle of Serbian Sisters, a Serbian Orthodox Youth Association (hereinafter known as “SOYA”), a choir, folkloric group, catechetical, language and other schools, sports groups and senior citizens and other such organisations, may be formed in a Mission Parish to help the Mission Parish achieve its aims and purposes.

2.     Decisions concerning the chartering, naming, districting, abolishing and changing of Auxiliary Organisations are rendered by the Metropolitan in accordance with the provisions of the Constitution, these Rules, the General Regulations and the Local Regulations.

3.     A Mission Parish Auxiliary Organisation shall have its own Bye-Laws, which must be approved by the Mission Parish Assembly and ratified by the Metropolitan and the Metropolitanate Executive Board, and must comply with the Constitution, these Rules and the General Regulations.

4. The Parish Priest and the Mission Parish Council shall supervise the work of the local Auxiliary Organisations and shall give them the necessary instructions directives to ensure that the activities of these organisations are in accordance with the Constitution, these Rules and the teachings of the Church.

5. Each member of a Mission Parish Auxiliary Organisation must be a Parishioner of the Mission Parish in which he/she resides.

6. In the event that a Mission Parish Auxiliary Organisation has been disbanded by default and a Mission Parish Assembly cannot be summoned, the Metropolitan and the Metropolitanate Assembly shall have the power to declare the said entity dissolved or disbanded.

7. The properties of the dissolved entity shall devolve to the Metropolitanate to serve foremost for the renewal of church life in that territory, or as determined by the Metropolitanate Assembly.

#### **RULE 12 INCOME AND ASSETS<sup>22</sup> (26)**

1. All of the real and personal property which is owned by Mission Parishes is held in trust for the use and benefit of all of the faithful of the Metropolitanate.

2. Income and Assets of the Mission Parish:<sup>23</sup>

- a) Any real and personal property acquired by the Mission Parish shall be managed, controlled and administered by the Mission Parish Council pursuant to the authority and instructions granted by the Metropolitan; and
- b) Title to a Mission Parish property shall be held by or transferred to the Metropolitanate Properties Company, including but not limited to the Mission Parish church, the parochial residences, the trusts, funds, institutions, foundations and any and all other real and personal property which serves the needs of the Mission Parish.

3. All income and assets of the Mission Parish shall be applied solely to further the objectives of the Mission Parish and the Metropolitanate and no portion shall be distributed directly or indirectly to the members of the Mission Parish except as genuine compensation for services rendered or expenses incurred on behalf of the Mission Parish.<sup>24</sup>

#### **RULE 13 SPECIAL BEQUESTS (27)**

Private persons may specifically designate as bequests real and personal property, including but not limited to land, buildings and funds, to be used by and dedicated in trust for the entire Metropolitanate or a specific Mission Parish. Prior to their dedication, the relevant church-administrative authorities

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<sup>22</sup> Adopted by decision of the Metropolitanate Assembly of 05.09.2015 and ratified by decision of the Holy Assembly of Bishops No. 42/Min. 104 of 20.05.2016.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

for the entity for whose benefit the property is dedicated in trust must approve the governing document for the administration of the property and/or funds held in trust

**RULE 14                      OTHER PROPERTY (28)**

The Metropolitanate Executive Board is the church-administrative authority, which manages, controls and administers any real and personal property which is owned by the Metropolitanate or any of its integral constituent bodies but is not specifically identified in these Rules.

**RULE 15                      DISSOLUTION (29)**

1. When it is determined by the Mission Parish Council or Auxiliary Organisation Board that it is incapable of sustaining these church entities or desires to be dissolved, with the approval of the Metropolitan, the Mission Parish Council shall summon an Assembly. If two thirds (2/3) of the stewards favour such dissolution, the Mission Parish Council submits a request to the Metropolitan and the Metropolitanate Assembly to dissolve the Mission Parish or Auxiliary Organisation.

2. In the event that a Mission Parish or Auxiliary Organisation has been disbanded by default and a Mission Parish Assembly cannot be summoned, the Metropolitan and the Metropolitanate Assembly shall have the power to declare the said entity dissolved or disbanded.

3. All income and assets, and including the properties of the dissolved entity shall devolve to the Metropolitanate to serve foremost for the renewal of church life in that territory, or as determined by the Metropolitanate Assembly.<sup>25</sup>

**RULE 16                      HERESY, SCHISM OR DEFECTION (30)**

In the event of heresy, schism or defection from the Metropolitanate, title, management, administration and control of any affected property shall be entrusted by the Metropolitanate Executive Board to those who remain loyal to the Metropolitanate.

**RULE 17                      CHURCH TAXES (32)**

1. The regulations for standard taxes, if any, to be appropriated by the Parish Priest for parochial rituals are determined by the Metropolitan in concert with the Ecclesiastical Court which shall be included in the General Regulations.

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<sup>25</sup> Ibid.

2. The regulations for applicable taxes for Mission Parish facility usage are determined by the Mission Parish Council according to its circumstances, which are submitted for approval to the Metropolitan Executive Board and if approved shall be included in the amendments to its Local Regulations.

**RULE 18 CHURCH OATHS (33)**

1. All newly-appointed members of a Mission Parish Council, upon the assumption of their duties, shall take an Oath of Office before their Parish Priest as prescribed in the General Regulations.

2. All newly-accepted stewards prior to being enrolled in the official Register of Stewards shall take an oath before the Parish Priest as prescribed in the General Regulations.

**RULE 19 SEALS (4)**

The Mission Parish shall have its seal with the official Coat-of-Arms of the Serbian Orthodox Church in the centre and the corresponding inscription circumscribed.

**RULE 20 OFFICIAL LANGUAGES (5)**

The official languages of the Mission Parish are Serbian written in Cyrillic and English.

**RULE 21 TEXT (34)**

For all purposes, the English text of these Rules shall be the official text.

**RULE 22 LOCAL REGULATIONS**

The Mission Parish Council may adopt, amend or remove Local Regulations as local needs require, provided the same are not inconsistent with the Constitution and the Rules and provided that any such Regulations have the prior written approval of the Metropolitanate Executive Board.

**RULE 23 AMENDMENTS**

These Rules may be amended by a simple majority vote of all the members present at a regular or special Metropolitanate Assembly and by approval of the Metropolitan. Changes and amendments become effective immediately upon approval by the Metropolitan.

## **RULE 24                    INTERPRETATION**

In these Rules, unless the context or subject matter otherwise indicates or requires:

- a) “Serbian Orthodox Church” means the Autocephalous Serbian Orthodox Church with its See in Belgrade, Serbia (1);
- b) “Metropolitanate” means the Metropolitanate of Australia and New Zealand which is a body of Serbian Orthodox Christians, canonically and hierarchically an integral part of the Autocephalous Serbian Orthodox Church (1);
- c) “Metropolitan” means the Spiritual Head of the Metropolitanate in all matters pertaining to teaching, liturgical-sacerdotal officiation and governance and who is elected and appointed by the Holy Assembly of Bishops of the Serbian Orthodox Church (9);
- d) “Metropolitanate Ecclesiastical Court” means the Metropolitan’s tribunal for ecclesiastical adjudication and internal church matters as provided for in the Constitution (10);
- e) “Deanery” means a church territorial unit, which is comprised of a designated number of Parishes and their Church Communities and Mission Parishes (11);
- f) “Dean” means an active or retired cleric who is appointed and relieved by the Metropolitan and who is responsible for the supervision of an Deanery (12);
- g) “Metropolitanate Assembly” means the Metropolitanate legislative body in external matters of church administration as provided for in the Constitution (12);
- h) “Metropolitanate Executive Board” means the executive authority in matters of external church administration in the Metropolitanate and is the executive body of the Metropolitanate Assembly (14);
- i) “Constitution” means the Constitution of the Metropolitanate;
- j) “Rules” mean these Rules;
- k) “General Regulations” mean the General Regulations of the Metropolitanate;
- l) “Local Regulations” mean the Local Regulations of the Mission Parish;
- m) “Regulations on Christian Education” as issued by the Metropolitan (9.9.d);  
and
- n) “Rules and Procedures for Ecclesiastical Courts of the Serbian Orthodox Church” as issued by the Holy Assembly of Bishops (9.8.p, q).

## **RULE 25                    IMPLEMENTATION**

These Rules shall be implemented pursuant to the Implemental Regulations.



# **GENERAL REGULATIONS OF THE METROPOLITANATE OF AUSTRALIA AND NEW ZEALAND OF THE SERBIAN ORTHODOX CHURCH**

## **REGULATION 1 FISCAL YEAR, FINANCIAL REPORTS AND BUDGETS**

1. The fiscal year for the Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church (hereinafter called the “Metropolitanate”) treasury, Church Community, Mission Parish and Monastery treasuries shall begin on the 1<sup>st</sup> of July and will conclude on the 30<sup>th</sup> of June.
2. All church bodies and institutions shall present to their annual or regularly scheduled assemblies’ financial reports, which include all income and expenses for the preceding year and proposed budgets and such financial reports shall also be submitted for approval to the Metropolitanate Executive Board.
3. The Metropolitanate Executive Board shall provide all church bodies and institutions with standardised forms as required for financial and other reporting.

## **REGULATION 2 COMPENSATION FOR TRAVEL**

Members of the church-hierarchical and church-administrative bodies and organs receive compensation from the appropriate treasury for travel expenses incurred during their work, in accordance with regulations and/or decisions prescribed by the competent authorities.

## **REGULATION 3 CHURCH TAXES**

1. The regulations for taxes in both hierarchical and administrative matters of the Metropolitanate and its bodies shall be prescribed by the



Metropolitan in concert with the Metropolitanate Executive Board and published in a Book of Ecclesiastical Fees.

2. The regulations for standard taxes to be appropriated by the Parish Priest for parochial rituals are determined by the Metropolitan in concert with the Ecclesiastical Court and are published in a Book of Ecclesiastical Fees.

#### **REGULATION 4 CHURCH COMMUNITY MEMBERSHIP / STEWARDSHIP COMMITMENT**

1. The church community membership or stewardship commitment by members or stewards is a total Church Community or Mission Parish membership commitment.

2. Through this commitment method every church community member or steward, as defined in the Constitution of the Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church (hereinafter called the "Constitution") and in the Rules for Parishes and their Church Communities of the Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church and Rules for Mission Parishes of the Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church (hereinafter called the "Rules"), can actively participate in the living support of the Church Community or Mission Parish according to his/her abilities.

3. This particular form of living support for the Church Community or Mission Parish is based according to the ability of each church community member or steward who by his/her annual voluntary pledge continually invests of his/her time, talents and treasures in the life of a local Church Community or Mission Parish as prescribed by a decision of their Assemblies, Annual or Special and as approved by the Metropolitanate Executive Board.

4. Such membership in Church Communities is predicated upon church community members or stewards, who are baptised and chrismated Orthodox Christians, and as defined in the Constitution, who have made their annual contribution or stewardship pledge. All voting and other privileges in the life of a Church Community and Mission Parish shall be confirmed upon church community members or stewards by verification of the Parish Priest on their annual pledge card.

5. The adopting of the church community member or stewardship commitment shall be introduced into the life of Church Communities and Mission Parishes according to the Implemental Regulations.

#### **REGULATION 5 APPEALS AND GRIEVANCES**

1. Appeals regarding the decisions and/or judgments of the Metropolitan, the Metropolitanate Ecclesiastical Court or the Metropolitanate Executive Board are subject to a time limit of fourteen (14) days, counting from the day of receipt of the decision and/or judgment. The appeal is considered to be

timely if it is submitted by either return receipt or registered mail within the above prescribed time limit. Appeals are submitted through the same authority which issued the decision and/or judgment.

2. The grievances of individual members of a Church Community or Mission Parish stewards against the Parish Priest or decisions of the Church Community Board or Mission Parish Council must be submitted in writing to the same authority, as part of his/its official duties, must forward the grievance, if it is a Parish Priest to the Metropolitan, or in the case of a Church Community Board or Mission Parish Council to the Metropolitanate Executive Board within eight (8) days for review and determination.

## **REGULATION 6 OATHS**

1. The Chancellor and the members of the Ecclesiastical Courts (church prosecutors, court secretaries and honorary members as well as alternate members), with the exception of the Metropolitan, submit this written oath to the Metropolitan or his Chancellor:

“I, (name and surname), pledge by my honour before Almighty God that I will be loyal to the Holy Orthodox Church, that I will carry out my duties correctly and guard official information, and that in the dispensing of justice, regardless of the persons involved, I will hold to God’s law, the Holy Canons, the Constitution of the Metropolitanate of Australia and New Zealand, and other Church regulations. As I do this, so may God judge and help me.”

2. Each member of the Metropolitanate Executive Board and Audit Board, as well as the secretaries of all church offices, with the exception of ordained clerics, as the person assumes his/her duties, takes this oath before the Metropolitan:

“I, (name and surname), pledge by my honour before Almighty God that I will be loyal to the Holy Orthodox Church, that I will conscientiously obey all Church Canons, the Constitution of the Metropolitanate of Australia and New Zealand, and other Church laws and regulations, that I will carry out correctly my duties, guard official information, and that I will always protect and defend the interests of the Metropolitanate of Australia and New Zealand. As I do this, so may God help me in this and the other world.”

3. A newly-accepted church community member of a Church Community or Mission Parish steward and a newly-elected member of a Church Community Board and Audit Board or appointed member of a Mission Parish Council, before he/she assumes his/her church community member or stewardship commitment or office, takes this oath before the Parish Priest in the Parish church:

“I, (name and surname), pledge by my honour before Almighty God that I will as an Orthodox Christian, obey, respect, fulfil, protect and defend the Holy Canons, laws, traditions, regulations, order of the Holy Orthodox Church and my Metropolitan, and that I will, as a member of the Parish and its Church Community (or Mission Parish) of \_\_\_\_\_ in \_\_\_\_\_, I will regularly and devotedly fulfil all duties and obligations, prescribed by the Constitution of the Metropolitanate of Australia and New Zealand, the Rules and the General Regulations of the Metropolitanate of Australia and New Zealand, as well as the Local Regulations to assist in caring for the Church Community (or Mission Parish), so help me God.”

#### **REGULATION 7    ECCLESIAL MEDIA**

The Metropolitanate has its official web site [www.soc.org.au](http://www.soc.org.au) which is published by the Metropolitanate Executive Board with the blessing of the Metropolitan.

#### **REGULATION 8    TEXT**

For all purposes, the English text of these General Regulations shall be the official text.

#### **REGULATION 9    AMENDMENTS**

These General Regulations may be amended by a simple majority vote of all the delegates present at a regular or special Metropolitanate Assembly of the Metropolitanate of Australia and New Zealand and by the approval of the Metropolitan. Amendments become effective immediately upon approval by the Metropolitan.

#### **REGULATION 10    IMPLEMENTATION**

These General Regulations shall be implemented pursuant to the Implemental Regulations.



# IMPLEMENTAL REGULATIONS

## REGULATION 1 THE CONSTITUTION

1. The Constitution of the Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church (hereinafter called the “Constitution”) shall take effect upon ratification by the Holy Assembly of Bishops of the Serbian Orthodox Church (hereinafter called the “Holy Assembly of Bishops”) and upon publication in the Herald of the Serbian Orthodox Church, the official publication of the Serbian Orthodox Church.

2. The exception is Article 8, paragraph 1. Pursuant to Article 4 of the Transitional Regulations Governing Relations Between the Serbian Orthodox Church in the USA and Canada and the New Gračanica Metropolitanate (herein after called the “Transitional Regulations”) of 14 February 1992, the final plan for reorganisation of the existing Dioceses of the Serbian Orthodox Church in Australia and New Zealand shall be proposed by the Diocesan Bishop with the approval of the respective Diocesan Council/Church-National Assembly and presented to the Holy Assembly of Bishops for decision and ratification. The names and sees of these dioceses shall be designated by the Holy Assembly of Bishops and thereafter shall be entered into Article 8 of the Constitution.

3. Until Article 8, Paragraph 1 is implemented the Dioceses of the Serbian Orthodox Church in Australia and New Zealand shall be the existing dioceses:

- a) The Diocese of Australia and New Zealand; and
- b) The Diocese for Australia and New Zealand New Gračanica Metropolitanate.

4. Until Article 8, Paragraph 1 is implemented, Church-School Communities and Church-School Congregations existing on the same territory may merge with the approval of two-thirds (2/3) of the members present at an extraordinary Assembly of each Church-School Community or Church-School Congregation and with the approval of the competent Diocesan authorities.

5. Until Article 8, Paragraph 1 is implemented the Diocesan Plenum and the Federation of Serbian Sisters Circles shall have their representatives to

the Church-National Assembly of the Diocese for Australia and New Zealand New Gračanica Metropolitanate without the right to vote.

## **REGULATION 2    EXISTENT CONSITUTIONS**

When the Constitution takes effect, the provisions of the following documents become null and void and without any force or effect:

- a)     The Constitution of the Serbian Orthodox Church in Australia and New Zealand (and formerly South Africa) of 1983;
- b)     The Constitution of the Serbian Orthodox Metropolitanate of New Gračanica—Diocese for Australia and New Zealand, i.e. the former “Free” Serbian Orthodox Church-Diocese for Australia and New Zealand of 1964, 1976 and 1988; and
- c)     The Constitution of the Free Serbian Orthodox Church of 1984.

## **REGULATION 3    RULES**

1.     The Rules for Parishes and their Church Communities of the Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church (hereinafter called the “Rules”) shall take effect immediately upon approval by the Metropolitan.

2.     When the Rules take effect, the provisions of any previous constitutions, Charters, associations and the like become null and void and without any effect.

3.     All Parishes and their Church Communities shall adopt the Rules within the period between two (2) Metropolitanate Assemblies (i.e. four (4) years) following the ratification of the Constitution, the Rules and the General Regulations by the Holy Assembly of Bishops

## **REGULATION 4    GENERAL REGULATIONS**

1.     The General Regulations of the Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church (hereinafter called the “General Regulations”) shall take effect immediately upon approval by the Metropolitan.

2.     When the General Regulations take effect, the provisions of the “Proposal for Reconciliation between the Serbian Orthodox Patriarchate and the New Gračanica Metropolitanate” of 23-24 April 1991 (superseded by the Transitional Regulations of 14 February 1992) remain null and void and without any effect.

3. When the General Regulations take effect, the provisions of the Transitional Regulations of 14 February 1992 become null and void and without any effect.

#### **REGULATION 5 STEWARDSHIP**

The implementation of a stewardship commitment program for Church Communities will take effect within the period between two (2) Metropolitanate Assemblies (i.e. four (4) years) following the ratification of the Constitution, the Rules and the General Regulations by the Holy Assembly of Bishops.

#### **REGULATION 6 COMPLIANCE**

When the Constitution, the Rules and the General Regulations take effect, the governing documents of all Church entities, including Church Charters, Articles of Incorporation, Deeds and Bye-Laws, must be brought into compliance with the Constitution, the Rules and the General Regulations.

#### **REGULATION 7 COMMEMORATIVE COAT-OF-ARMS**

The special Coat-of-Arms commemorating the unity of the Metropolitanate of Australia and New Zealand, as designed by Serbian Heraldic Society president Mr Dragomir Acovic, is as follows:



A centred shield is adorned by a Double-bar Patriarchal Cross on the right and an Archpastoral Staff on the left. The shield, which consists of four quarters, is adorned on the top by a Golden Episcopal Crown. The top left quarter contains a Silver Cross of four equal sides with a Silver Flint Stone in each corner of the cross on a red background. The top right quarter contains the Southern Cross of Australia's Flag in silver on deep blue background. The bottom left quarter is the Southern Cross from the New Zealand Flag in red on a deep blue background. The bottom right quarter contains an iconic representation of St Sava I, the Founder of the Autocephalous Serbian Orthodox Church in hierarchical vestments standing a green cliff against a gold background, blessing with his right hand and holding in his left hand the Holy Gospel. Two stylised angels as heavenly deacons represent the guardians of the shield.

This Special Commemorative Crest is as such and in no way will serve to replace the official Coat-of-Arms of the Serbian Orthodox Church as set forth in the Constitution Article 4.

#### **REGULATION 8    TEXT**

For all purposes, the English text of these Implemental Regulations shall be the official text.

#### **REGULATION 9    ADAPTATION**

The adaptation of the Constitution of the Serbian Orthodox Church in North and South America, Uniform Rules and Regulations of the Serbian Orthodox Church in North and South America and General Regulations of the Serbian Orthodox Church in North and South America for the usage of the Joint Legislative Committee of the Dioceses of the Serbian Orthodox Church in Australia and New Zealand were promulgated and adopted by Diocesan Assembly of the Serbian Orthodox Diocese of Australia and New Zealand on the 25<sup>th</sup> day of August 2007 and by the Church-National Assembly of the Serbian Orthodox Diocese for Australia and New Zealand Metropolitanate of New Gracanica on the 29<sup>th</sup> day of December 2007.

The draft text of the Constitution of the proposed Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church, as prepared by the Joint Legislative Committee, was amended and unanimously adopted by an extraordinary parallel convocation of the Diocesan Council of the Diocese of Australia and New Zealand and the Church-National Assembly of the Diocese for Australia and New Zealand New Gracanica Metropolitanate on the 4<sup>th</sup> day of September 2010 in Melbourne as witnessed by the signing of The Charter and as forwarded by the competent hierarch in act E. No. 265/10 of the 22<sup>nd</sup> day of October 2010 to the Holy Synod of Bishops for the Holy Assembly of Bishops. The final text of the Constitution of the Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church was ratified by Decision of the Holy Assembly of Bishops No. 1 & 2/Min. 128 on the 23<sup>rd</sup>/10<sup>th</sup> day of May 2011, and consigned for local implementation by Decision the Holy Synod of Bishops No. 725/Min. 544 of 16<sup>th</sup> day of June 2011, as promulgated by the Bishop of the Metropolitanate E. No. 203/11 of the 24<sup>th</sup> day of June 2011.

The Constitution of the Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church as approved in 2011 was amended and unanimously adopted by the Assembly of the Metropolitanate of Australia and New Zealand on the 5<sup>th</sup> day of September 2015 and forwarded by the Bishop of the Metropolitanate in act E. No. 117 and 118 of the 20<sup>th</sup> day of April 2016 to the Holy Synod of Bishops for the Holy Assembly of Bishops. The amendments to the Constitution of the Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church were ratified by Decision of the Holy Assembly of Bishops No. 41/Min. 103 and No. 42/Minutes 104 on the 20<sup>th</sup>/7<sup>th</sup> day of May 2016, and consigned for local implementation by Decision of the

Holy Synod of Bishops No. 750/Min. 483 and No. 751/Min. 484 of 31<sup>st</sup> day of May 2016, as promulgated by the Bishop of the Metropolitanate in act E. No. 198/16 of the 3<sup>rd</sup> day of August 2016.

#### **REGULATION 10      IMPLEMENTATION**

These Implemental Regulations shall become effective immediately upon their ratification by the Holy Assembly of Bishops.

#### **BE IT KNOWN THEREFORE**

This amended Constitution of the Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church and its accompanying documents: the Rules for Parishes and their Church Communities of the Metropolitanate of Australia and New Zealand, Rules for Mission Parishes of the Metropolitanate of Australia and New Zealand, General Regulations for the Metropolitanate of Australia and New Zealand, and Implemental Rules are approved for implementation in the Metropolitanate of Australia and New Zealand.

**+IRINEJ**

Bishop of the Metropolitanate of Australia and New Zealand  
Bishop-elect of Eastern America  
The Serbian Orthodox Church

Given at the Metropolitanate See in Sydney  
E. No. 198/16  
3 August 2016