

AUSTRALIAN AND NEW ZEALAND DIOCESE OF THE RUSSIAN ORTHODOX CHURCH OUTSIDE
OF RUSSIA GOOD GOVERNANCE IN OUR CHURCH COMMUNITIES

**iv. NORMAL PARISH BY-LAWS (Authorized by Resolution of the Synod of Bishops of the
Russian Orthodox Church Outside of Russia on June 30/July 13, 1951, and April 15/28, 1955,
and 14/27 September 1971)**

BY-LAWS of

.....Parish of the
..... Diocese of
the Russian Orthodox Church Outside of Russia.

PART I

(Name and Aims)

1. The parish shall bear the name

..... It constitutes a part of
the Diocese of the Russian Orthodox Church Outside
of Russia and it shall be subject to the canonical rule of its Diocesan Bishop and the immediate
supervision of the rector appointed by the latter.

Note: Whereas pursuant to Par. 1 of the Normal Parish By-Laws the parishes are under the canonical jurisdiction of their Diocesan Bishop according to the holy canons by which the Orthodox parishes are directed as by fundamental laws of their existence, the Diocesan Bishop being the Head of the local Church (diocese), has the right to remove the clergymen of the Diocese from their positions in case of their serious crimes or misdeeds and transfer them to other positions for the good of the ministry. The Diocesan Bishop has also the right to remove from their positions any persons in the parish administration and also to exclude from membership of the parish persons who resist the Administration, or those who conduct disruptive work, or who are convicted of crimes or serious misdemeanours harmful to the peaceful life of the parish. The Diocesan Bishop also has the power to suspend clergymen and excommunicate laymen in cases of serious violation of Church order and discipline. Such decisions of the Diocesan Bishop are relayed to the clergymen directly or through deans and to laymen through Rectors according to Par. 14 of the Normal Parish By-Laws (Enacted by the Council of Bishops 23 May/5 June 1967, Protocol No. 15).

2. It shall be the aim of the parish to unite the believers around the parish church on the basis of the teachings, the canons, the traditions and the rules of the Russian Orthodox Church for the satisfaction of the religious needs and moral benefit of its members.

PART II

(General Provisions. Jurisdiction. Clergy)

3. It shall be the object of the parish to mutually assist the believers, forming part thereof and united in the Faith in Christ our Savior, by means of prayers, Sacraments, Christian teaching and Church discipline, in attaining salvation through the participation in sacraments and Christian enlightenment, worthy life and Christian charity. Accordingly, the immediate aims of the parish shall embrace:

(a) the care of the church and its adornment;

- (b) the maintenance of the clergy;
- (c) the economic prosperity of the parish and the care of the needs of the church, the clergy and all parish institutions, the diocesan and social needs;
- (d) charitable work, and
- (e) educational work in the spirit of the Orthodox Church.

4. In conjunction with the parish church there shall be a clergy of not less than two members, the rector and the deacon, or the psalmistprecentor, who shall receive living accommodations and subsistence from the parish. The clergy shall be appointed by the diocesan authorities. The number of the members of the clergy may be increased or reduced by the Ruling Bishop in accordance with the capacity and needs of the parish.

5. The boundaries of the parish may be changed by the diocesan authorities pursuant to the request of the parishioners and subject to the consent of the clergy of that parish where such changes are to be effected.

6. The establishment of a new parish shall be effected pursuant to the request of the faithful with the permission and blessing, or by order of, the diocesan authorities.

7. A priest or a person in the service of the church, or a layman, who secedes from the Russian Orthodox Church Outside of Russia and refuses to recognize the authority of the Synod of Bishops of the Russian Orthodox Church Outside of Russia, shall not be permitted to occupy any office in the parish.

8. Priests and persons in the service of the church shall be considered lawfully appointed if they occupy their said offices by appointment and permission and with the blessing of the Ruling Bishop appointed to this office by the Synod of Bishops of the Russian Orthodox Church Outside of Russia.

9. The rector shall be the immediate supervisor of the parish and he shall be held responsible for its welfare before the diocesan authorities.

10. The Ruling Bishop may, should he deem it necessary, appoint a second priest as assistant to the rector. The question of the maintenance of such an assistant shall be settled by the diocesan authorities acting in agreement with the Parish Council.

PART III

(Parishioners and Parish Members)

11. All Orthodox Christians of both sexes, regardless of their nationality, who have reached the age of 18 years, who pay the established membership dues, who make their confession and take Holy Communion not less than once a year, and who tend to the moral and economic welfare of the parish may become parish members.

Note 1: By decision of the Church Parish Council for persons of Orthodox faith who have not reached the age of 18, there may be organized, in conjunction with the parish, youth societies for their religious and moral upbringing.

Note 2: Persons who live in concubinage without Church marriage, or who are engaged in ignoble business, or who are convicted of criminal offences shall have no right to

participate in the parish meetings or be elected to parish offices. Those convicted of criminal offences may be restored in their rights three years after they have served their term and after absolution by their father-confessor.

Note 3: Those who make confession to a priest outside of their parish must present to their Rector a certificate from that priest.

12. All parish members shall be recorded by the Secretary of the Church Parish Council in a special register. The membership enrolment shall be made by the Church Parish Council pursuant to written application.

13. All parish members, except those mentioned in Note 2 under paragraph 11, who regularly pay the membership dues and other obligatory dues fixed by the diocesan meetings, shall have the right to participate with a decisive vote in all parish meetings, to elect parish officials and to be elected to parish offices.

Note 1: Newly-admitted members of the parish shall acquire the right to vote and to be elected to parish offices upon the expiration of six months after their admission to parish membership. Persons coming from another parish in the jurisdiction of the Russian Orthodox Church Outside of Russia and who present a certificate from it, are accepted into a new parish with no time limit of their voting rights.

Note 2: Parish members who shall have failed to pay their membership dues during three months shall be deprived of their rights to vote and to be elected to parish offices pending the payment of such arrears. Parish members who have failed to pay their membership dues during twelve months shall be excluded from parish membership. However, should a parish member fail to pay his dues because of some valid reason (illness, unemployment, etc.) the question of his right to vote shall be determined by the Church Parish Council.

14. Parish members who shall be found disloyal to the Russian Orthodox Church Outside of Russia and to their parish; or who deliberately neglect Church rules and obstruct lawfully adopted resolutions of the parish meetings and the instructions of the Church Parish Council, as well as those who shall have violated the good order and decorum in the church or who shall be found engaged in some ignoble occupation may be excluded from parish membership by decision of the Church Parish Council, submitted by the latter for approval of the Ruling Bishop. The said persons may be restored in their rights by decision of the Church Parish Council provided they repent and prove by their ways of living and behaviour their moral rectitude.

15. Persons who shall have rendered particularly valuable services to the parish may be elected trustees by the Annual Parish Meetings.

PART IV

(Managing Organs and Officers)

16. The following shall be the managing organs:

- A. The general meeting of the members of the parish, hereinafter called parish meetings;
- B. The Church Parish Council;
- C. The Auditing Committee.

A. PARISH MEETINGS

17. Parish meetings shall be:

- 1) Annual and
- 2) Extraordinary.

1. Annual Parish Meetings

18. The time for the convening of the Annual Parish Meeting shall be fixed by the Church Parish Council. Not later than three weeks prior to the Annual Parish Meeting, the Church Parish Council shall mail notices on the convening thereof together with the agenda. In addition thereto, the rector, prior to the Annual Parish Meeting, shall announce its convocation from the steps before the altar on three successive Sundays after the divine service.

19. The rector, or in case of his absence or illness, a priest substituting for him, shall preside over the Annual Parish Meeting. The Vice President shall be elected by the meeting from among the laymen. When a matter is deliberated upon which pertains to the rector personally, and also when candidates to the members of the staff clergy are elected, it shall be obligatory that the dean, or another person appointed by the Ruling Bishop, preside over the meeting.

20. The following shall be within the competency of the Annual Parish Meeting:

- (a) the election of the Warden, the members of the Church Parish Council, the Auditing Committee and the trustees;
- (b) the examination of the report of the Church Parish Council on the activities of the parish during the expired year;
- (c) the examination and ratification of the Warden's and Treasurer's reports;
- (d) the examination and ratification of the report of the Auditing Committee and the budget for the forthcoming year;
- (e) the establishment of the amount of the membership dues and other items of selftaxation;
- (f) amendment of the By-Laws of the parish.

Note 1: Canonical matters as well as jurisdictional matters (Pars. 1-10) shall not be within the competency of either the Annual or Extraordinary Parish Meetings.

(g) Consideration of other matters, including the agenda of the Annual Parish Meetings.

Note 2: The Annual Parish Meeting may respond to general questions of Christian life and on current affairs which affect the Christian conscience of the faithful.

21. The Annual Parish Meeting shall be considered valid in the presence of a quorum of two thirds of the parish members.

Note 1: If by the time scheduled for the meeting, the parish members present should fail to constitute the required quorum, another Annual Parish Meeting shall be convened one hour later on the same day which meeting shall be considered valid in the presence of any number of attending members. This provision should be included in the text of the notice convening the Annual Parish Meeting.

Note 2: The Parish Meeting checks the voting qualifications of its members. Each member of the Parish Meeting who has for some reason lost his right to participate in the Meeting must of his own accord remove himself from participation in the Meeting.

Note 3: Should the Annual Parish Meeting be called to order in the presence of the required quorum, but subsequently some members should quit the meeting and the number of those attending it should be less than the said quorum, the meeting shall nevertheless be considered valid.

Note 4: Personal attendance of the parish members at the Parish Meeting for voting purposes shall be obligatory. Voting by proxy shall not be permitted.

22. All matters shall be decided by simple and open majority vote. However, should any one of those present demand secret balloting, his request shall be honoured. In case of a tie, the vote of the rector or the person empowered by him to preside over the Annual Parish Meeting shall prevail.

23. The Secretary of the Church Parish Council shall keep the minutes of the Annual Parish Meeting and he shall record all the decisions adopted thereat together with the dissenting opinions, should any be expressed by the participants in the meeting.

24. The minutes of the Annual Parish Meetings, after having been adopted by an editing committee elected by the meeting, shall be submitted not later than seven days thereafter by the rector of the parish to the Ruling Bishop for his ratification.

2. Extraordinary Parish Meetings

25. Extraordinary Parish Meetings. if necessary, may be convened :

- (a) by order of the Ruling Bishop;
- (b) by the rector of the parish;
- (c) by the Church Parish Council;
- (d) at the request of the Auditing Committee;
- (e) pursuant to a written request of not less than one third of the parish members submitted to the Church Parish Council.

26. All the provisions of the By-Laws pertaining to the convening of the Annual Parish Meetings (Par. 18) and the keeping of the minutes (Pars. 22 and 24) shall be likewise applicable to the Extraordinary Parish Meetings.

Note: In emergency cases, an Extraordinary Parish Meeting may be convened with eight days advance notice. The rector shall announce such a meeting from ambo after a Sunday divine service, and, in addition, the Church Parish Council shall mail respective notices with a precise indication of the matter in connection with which the said meeting is being convened.

27. Only such matters shall be within the competency of an Extraordinary Parish Meeting as are specified in the notice convening same.

B. THE CHURCH PARISH COUNCIL

28. The Church Parish Council shall be composed of:

- a) the Rector of the parish who by virtue of his office shall be the President of the Church Parish Council;
- (b) the Church Warden;
- (c) the President or the Sister Superior of the Sisterhood organized in conjunction with the parish and functioning under the supervision of the Rector pursuant to the Statute on Sisterhoods ratified by the diocesan authorities;
- (d) the Treasurer;
- (e) the Secretary;
- (f) staff members of the clergy;
- (g) from two to five lay members of the parish.

Note: In the United States and in Canada, in parishes incorporated pursuant to the civil laws on religious corporations, the trustees of the parish corporation (parish), elected pursuant to the said laws, shall have the right to participate in the meetings of the Church Parish Council and in the Parish Meetings with the rights of active members.

29. All the officials enumerated in Par. 28, with the exception of the Rector and the staff members of the clergy appointed by the Ruling Bishop, as well as the Senior Sister of the Sisterhood selected by the latter, shall be elected by the Annual Parish Meeting for a term of one year, and, on recommendation of the Rector, shall be approved in the respective offices by the Ruling Bishop. All the said officers, with the exception of the Rector and the staff members of the clergy, shall perform their duties free of pay. The Church Warden shall be elected for a term of three years.

30. The following shall be within the competency of the Church Parish Council:

- (a) The adornment of the parish church and the care of the entire church property;
- (b) The maintenance of the clergy and their provision with living quarters;
- (c) The collection of membership dues and other forms of the members' self-taxation;
- (d) The keeping of the parish books and of the lists of those making confession;
- (e) The care of organizing the church choir under the direction of an experienced director;
- (f) The care of the educational and charitable work of the parish;
- (g) Representing the parish before civil authorities in connection with all matters involving the parish;
- (h) The maintenance of the diocesan and central church administrations in proportion to the parish resources.

PARISH OFFICERS

A. The Rector

31. The Rector of the parish shall:

- (a) Conduct divine services and ceremonies according to the Orthodox rite;
- (b) Instruct the parish members and those attending church on the rules of the Orthodox Faith and devotion;
- (c) Instruct children in catechism;
- (d) Endeavor to uplift the spiritual and moral level of the members of the parish;
- (e) Preside over all parish meetings and all meetings of the Church Parish Council;
- (f) Supervise, with the assistance of the Church Warden, the adornment of the parish church;
- (g) Have general supervision over the work of the Church Parish Council and that of the Church Warden;
- (h) Keep parish registers and issue copies of the records therefrom;
- (i) Communicate on behalf of the parish with the diocesan authorities in connection with all matters involving the parish;
- (j) Be responsible for the welfare of the parish;
- (k) Keep the church seal;
- (l) Supervise the execution of all decisions of the Annual and Extraordinary parish meetings and those of the Church Parish Council;
- (m) Ensure the accuracy of the minutes of the Church Parish Council meetings.

b. Members of the Clergy

32. The members of the clergy, being the immediate assistants of the Rector in the performance of his religious duties and in his educational work among the parish members and those attending church, shall:

- (a) Participate in all the meetings of the Church Parish Council as well as in the Annual and Extraordinary parish meetings;
- (b) Perform special duties conferred on them by the Rector.

c. The Church Warden

33. The Church Warden, being the immediate assistant of the parish Rector with respect to economic matters, shall be directly responsible for the safekeeping of the church property. In addition he shall:

- (a) See to it that good order be observed in the church during divine services;
- (b) Oversee the sale of candles;
- (c) Keep track of the monetary receipts and disbursements of the parish;
- (d) Take the duly prescribed oath when he is newly elected.

d. The Treasurer

34. The duties of the Treasurer shall comprise:

- (a) The keeping of the parish receipt and disbursement ledgers in the form prescribed by the diocesan authorities;
- (b) The keeping of the parish funds in a manner prescribed by the Church Parish Council;
- (c) The disbursement, under the control of the Church Warden, of the parish monetary sums;
- (d) The compilation of the budget and of the annual financial report for their submission to the Church Parish Council and the Annual Parish Meeting;
- (e) The submission of the entire monetary accounting to the Auditing Committee.

e. The Secretary

35. The duties of the Secretary shall comprise:

- (a) All correspondence on behalf of the Church Parish Council under the direction of the Rector;
- (b) The keeping of the minutes of the Annual and Extraordinary Parish Meetings as well as those of the Church Parish Council;
- (c) The mailing of notices convening all parish meetings and the meetings of the Church Parish Council;
- (d) The keeping of the lists and addresses of the parish members;
- (e) The preparation, under the supervision of the Rector, of the reports to the Annual and Extraordinary parish meetings.

Note: All the records and books shall be kept in accordance with the forms devised by the diocesan authorities.

f. Members of the Church Parish Council

36. The Members of the Church Parish Council shall:

- (a) Participate in all the meetings of the Church Parish Council;
- (b) Assist the Rector and the Church Warden;
- (c) Perform special duties conferred on them by the Rector and by the Church Parish Council;
- (d) In case of illness or temporary absence of some officer, they shall, by order of the Rector, perform the duties of the absent officer. Meetings of the Church Parish Council.

37. The meetings of the Church Parish Council shall be convened by the order of the Rector not less than once a month.

38. At the meetings of the Church Parish Council all matters shall be decided by simple majority vote while in case of a tie, the vote of the Rector, or the person presiding over the meeting pursuant to his instruction, shall prevail.

39. The Secretary of the Church Parish Council shall keep the minutes of its meetings (Par. 35. [b]) and he shall record them in a special book therefore.

B. THE AUDITING COMMITTEE

40. The Auditing Committee shall be comprised of three members elected by the Annual Parish Meeting (Par. 20 [a]) for a term of one year.

Note: The Members of the Church Parish Council shall not be eligible as members of the Auditing Committee, and the members of the latter cannot be members of the Church Parish Council.

41. By order of the Rector, the Auditing Committee shall begin its work not later than two weeks prior to the date scheduled for the Annual Parish Meeting.

42. The following shall be the duties of the Auditing Committee:

(a) The verification of all areas of the Treasurer's accounting and of the report compiled by him on the status thereof to the Annual Parish Meeting and the Church Parish Council (Par. 34 [d]);

(b) The preparation of a report on the findings accounting audit and of the report referred to in section (a) of this paragraph;

(c) The submission of the findings referred to in section (b) of this paragraph to the Annual Parish Meeting;

(d) The recommendation to the Annual Parish Meeting regarding any desirable changes in the method of the keeping of the Treasurer's accounting.

43. In conjunction with the parish, a Sisterhood may be established. Its Chairman or Sister Superior, guided in her work by the instructions of the Rector and by the Statute on Sisterhoods ratified by the diocesan authorities, shall:

(a) Together with the other sisters, tend to the cleanliness of the church, the vestments and other objects in the sacristy;

(b) Closely participate in the organization of the charitable work of the parish;

(c) Manage the luncheons (trapezas) and the refectory and the connected therewith;

(d) Guide and coordinate the work of the members forming part of the Sisterhood.

PART V (Church and Parish Property)

44. The following shall be a part of the property of the church:

(a) The church building with all its appurtenances as well as churches, oratories and chapels annexed to the parish church;

(b) Everything that is donated to the church and brought to God's altar, for instance: articles needed for church use;

(c) Personal and real property donated for the adornment of the church;

(d) Monies received by the church from different sources, i.e.; candle-sale profits, jug and plate monies, residues of profits, income derived from estate and quit-rent, and from the sale of plots in parish cemeteries and various sundry incomes;

(e) Personal and real property and capital funds specifically donated or bequeathed to the church for its benefit or to its ownership, even those with a special designation for charitable and educational needs of the parish or the maintenance of the clergy.

45. Parish property shall consist of every kind of personal and real property and capital funds received for the satisfaction of the religious and educational as well as charitable needs of the parish. These shall include:

(a) Voluntary donations;

(b) Plate collections within the boundaries of the parish;

(c) Voluntary collections under subscription lists;

(d) Voluntary donations in kind by the parishioners;

(e) Incomes from real estate owned by the parish;

(f) Incomes from quitrent;

(g) Collections made by decision of the general Parish Meetings.

46. The management of the church and parish property and capital shall be vested in the Church Parish Council.

47. Church real estate may be purchased or otherwise acquired out of church funds with the permission of the diocesan authorities, by decision adopted either by the Annual Parish Meeting or the Extraordinary Parish Meeting especially convened therefor. The sale of church real estate, its alienation, exchange or cession for building purposes, shall be effected subject to the authorization of the Synod of Bishops.

48. Monetary funds, incomes and receipts belonging to the church shall be disbursed in accordance with the budget adopted by the Annual Church Parish Meeting and ratified by the diocesan authorities.

49. Parish property of every kind may be acquired, sold, alienated, exchanged, mortgaged, leased and ceded for building purposes by the decision of the Annual Church Parish Meeting.

50. Reports on the expenditures of parish property and capital funds shall be submitted in due manner by the Church Parish Council to the diocesan authorities for its information.

PART VI (Monetary Parish Funds)

51. All church parish sums, as they are received, shall be deposited by the Treasurer to the current account of the parish with a bank pursuant to the direction of the Church Parish Council.

52. By decision of the Church Parish Council, for meeting current expenses, the Treasurer may be allowed to keep a certain amount of money in the form of an advance subject to accounting, the sum of which shall be determined by the Church Parish Council.

53. All checks shall be signed by at least two persons: the Rector and the Church Warden, or the Treasurer, or in the absence of one of them, by the Secretary. The Church Parish Council shall authorize the signing of the checks by the said persons, and notice to this effect shall be provided to the bank. The church seal shall be affixed to the checks.

PART VII (Amendment of the Parish By-Laws)

54. Amendments of these By-Laws may be made, if warranted by local conditions, only with the consent of 2/3 of the parish members at a lawfully convened Annual Meeting, subject to the approval of the Diocesan Bishop, and on condition that such amendment in the By Laws be ratified by the Synod of Bishops.

55. The suggested text of the paragraphs of the By-Laws, which it is proposed to amend, shall be incorporated into the notices convening the respective Annual Meeting.

PART VIII (Closing of the Parish)

56. The closing of the parish can take place not otherwise than subject to the method set forth in Par. 54 of these By-Laws, while the entire personal and real estate of the parish shall be turned over to the direct management and disposition of the diocesan authorities as per the direction of the Ruling Bishop.