



# CONSTITUTION Coptic Orthodox Church Diocese of Sydney & its Affiliated Regions



This Constitution of the Coptic Orthodox Church, Diocese of Sydney & its Affiliated Regions, as approved by His Holiness Pope Tawadros II Pope of Alexandria and Patriarch of the See of St. Mark, replaces the constitution of the Coptic Orthodox Church, Diocese of Sydney and its Affiliated Regions approved on 8 October 2002 by His Holiness Shenouda III, Pope of Alexandria and Patriarch of the See of St. Mark.

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**His Holiness Pope Tawadros II**  
Pope of Alexandria & the Patriarch of  
the See of St Mark  
Date:

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Bishop of the Coptic Orthodox Diocese of  
Port Said, & Papal Representative  
for the Coptic Orthodox Diocese of  
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## RULE 1: INTRODUCTION AND GENERAL PRINCIPLES

- (1) *(This rule cannot be changed)* The Coptic Orthodox Church is a Church founded by St Mark the Evangelist and Apostle, in the city of Alexandria, Egypt, in the first century. The Coptic Orthodox Church is an Apostolic Church which has as the head of the Church the successor of St Mark the Apostle and as such is entrusted by God and the Church to oversee it and to preside over its Holy Synod, which is the highest priestly, legislative and executive authority in the Church<sup>i</sup>. Accordingly, the Coptic Orthodox Church is a hierarchical Church.
- (2) *(This rule cannot be changed)* The leader, overseer and shepherd of the Coptic Orthodox Church is the Pope of Alexandria and the Patriarch of the See of St Mark. The authority of the Pope and the Holy Synod of the Coptic Orthodox Church extends to the entire See of St Mark, both inside and outside Egypt<sup>ii</sup>.
- (3) The Pope, as the successor of St Mark the Apostle, is the founder of all the Parishes in the Diocese of Sydney and its Affiliated Regions and any other region comprising the Diocese as nominated by the Pope.
- (4) The temporal affairs of the Diocese, Parishes and Church Entities are administered by the following individuals and organisations:
  - A. the Bishop (see Rule 2);
  - B. the Parish Councils (see Rule 3);
  - C. the Diocesan General Advisory Board & Council (see Rule 4);
  - D. the Diocesan Financial Advisory Board (see Rule 5);
  - E. the Corporate Trustees of the Coptic Orthodox Church (NSW) Property Trust (see Rule 6); and
  - F. the Clerical Council (see Rule 7).

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## RULE 2: THE BISHOP

- (1) According to the traditions of the Coptic Orthodox Church, a Diocese has the right to nominate its Bishop. The Pope has the right to either accept or refuse the nominee for the Diocese depending upon the suitability of the candidate according to Church traditions and canons.
- (2) The Bishop of a Diocese is a member of the Holy Synod and is bound by the laws of the Holy Synod and is accountable to it. The Bishop, together with the other members of the Holy Synod, constitute members of one body in the holy Apostolic Church, specifically the Coptic Orthodox Church, which is headed by the Pope.
- (3) In the event a Bishop is to be ordained or appointed in the Diocese, the boundaries of such Diocese shall be defined by the Pope and included in the official appointment (Canonical Praxis) which is to be signed by the Pope. The Pope can divide the Diocese into any number of Dioceses and define its geographical boundaries, and its Parishes, properties and religious organisations attached to them, and may ordain one Bishop for each Diocese.
- (4) The Bishop or Papal Representative is responsible for the ecclesiastical duties of the Diocese such as the ordination of the Priests and Deacons in the Diocese, consecrating Churches, altars, baptisteries, icons and all the vessels of the altar and is responsible for the religious services in the Diocese. The Bishop shepherds his people as he receives the shepherd's staff from the Pope. He shares with the Pope in his apostolic services and in ordaining new Bishops, as he is also a member of the Holy Synod, as are all other Bishops of the Coptic Orthodox Church.
- (5) At the annual general meeting of the Priests of the Diocese, the clergy shall elect a Vicar General to assist the Bishop or Papal Representative in their obligations.
- (6) The Bishop is accountable to the Pope and the Holy Synod and attends the annual and extraordinary meetings of the Holy Synod of the Coptic Orthodox Church.
- (7) The Holy Synod, being the highest canonical authority in the Church, has the right in its absolute discretion, to review the acts of the Bishop, discipline or depose the Bishop, as well as any person who holds a priestly rank or any member of the laity.
- (8) On the Bishop's decease, or if the Diocesan See becomes vacant for any reason, including if the Bishop lacks capacity to carry out his duties and responsibilities, the

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Pope in his absolute discretion, has the right to appoint a Papal Representative to carry out the duties and responsibilities of the office of Bishop.

- (9) Any real or personal property in the possession or control of the Bishop shall be deemed to be the property of the Diocese. On the Bishop's decease, any real or personal property in the possession or control of the Bishop just prior to his decease shall be bequeathed to the Diocese, even if such property is otherwise bequeathed in a Will made by the Bishop. The Pope becomes the trustee and custodian of all such property until it has been handed over to his successor or successors.

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## RULE 3: THE PARISH COUNCIL

- (1) The Parish Council shall be constituted as follows:
  - A. Chairperson, being the Parish Priest, and if there is more than one Parish Priest, the most senior Parish Priest or the Parish Priest that he nominates;
  - B. Secretary, as elected by the Parish Council;
  - C. Treasurer, as elected by the Parish Council;
  - D. other members elected at the Parish Annual General Meeting;
  - E. Members;
  - F. the Parish Sunday School Superintendent shall be an ex-officio member;
  - G. the Parish Youth Meeting Coordinator shall be an ex-officio member; and
  - H. any other member as appointed by the Corporate Trustees or the Pope.
- (2) The Parish Council on behalf of the Parish is responsible for:
  - A. overseeing the spiritual, temporal and financial affairs of the Parish
  - B. visioning and planning for current and future services for the Parish, including establishing and delivering on objectives and priorities for the upcoming and future years.
  - C. fulfilling the aims and purposes of the Parish in accordance with this Constitution and by-laws, Diocese Policies and Church doctrines, teachings, traditions, rites and canons.
- (3) The Parish Council shall cooperate to assist the Bishop or Papal Representative, the Corporate Trustees, the Diocesan Financial Advisory Board and the Diocesan General Advisory Board in carrying out their responsibilities, when required.

### Appointment of Parish Council Members

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- (4) The Parish Priest shall make an announcement that the Parish is accepting nominations for membership of the Parish Council (*Nomination*) at least four (4) weeks prior to the date of selecting the members of the Parish Council.
- (5) Each Nomination must be signed by any of the Parish Priest(s) or at least seven (7) Coptic Orthodox Church members of that Parish. If approved, the Nomination is presented to the Parish parishioners for voting.
- (6) On the day of voting, the Parish parishioners will vote for seven (7) nominees to serve as members of the Parish Council.
- (7) A member of the Parish Council should be:
  - A. a Coptic Orthodox Christian over eighteen (18) years old;
  - B. obedient to the Coptic Orthodox Church rules concerning dogmas, and free from ecclesiastical ex-communication;
  - C. a regular attendee of Church services;
  - D. an active participant in the sacraments of the Church including confession and the sacrament of the Eucharist;
  - E. known for their piety and service to the Church; and
  - F. free of any membership of any other non-Coptic Orthodox religious organisation or fraternal order.
- (8) Except for the Parish Priests, each member of the Parish Council must retire from office at the conclusion of four (4) years from the date they were last appointed. A retiring member of the Parish Council may be eligible for re-election.
- (9) It is prohibited for a person to be a member of more than one Parish Council at the same time.

### Meetings

- (10) The Parish Council may regulate their meetings and proceedings as it deems fit, provided that they do not conflict with the by-laws proclaimed from time to time by the Corporate Trustees, the Diocesan Financial Advisory Board, or the Diocesan General Advisory Council.

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- (11) Decisions are to be made by a simple majority of the members present at the meeting. There shall be no proxy voting.
- (12) A member of the Parish Council may refer a decision of the Parish Council to the Corporate Trustees for consideration should that member determine that the decision is not in the best interest of the Church, Diocese or Parish.
- (13) The Parish Council may form and delegate any of their powers to a sub-committee of the Parish as they deem fit and may from time to time revoke such delegation.

### **Rights and Responsibilities of the Parish Council**

- (14) It shall be the duty of the Parish Council to undertake their roles and responsibilities in accordance with this Constitution and by-laws, Diocese Polices and Church doctrines, teachings, traditions, rites and canons
- (15) The Parish Priest(s), shall not delay in fulfilling the Vows of Commitment they vowed to the Lord on the day of their ordination.
- (16) The Secretary shall ensure effective and efficient functioning of the Parish Council, keeping records of all meetings, in consultation with the other members of the Parish Council shall prepare with the Chairperson the agenda before each meeting, foster communication through proper management and utilisation of important records such as meeting minutes, and governing artefacts such as the Constitution and by-laws, Diocese Polices and Church doctrines, teachings, traditions, rites and canons.
- (17) The Treasurer shall oversee the financial affairs of the Parish, undertake its management, ensure adherence to financial policy and that proper financial records and procedures are maintained.
- (18) The Treasurer, Secretary and the Parish Priest (and if there is more than one Parish Priest, the most senior Parish Priest or the Parish Priest that he nominates) shall be the only signatories to the Parish bank accounts, and are the only authorised individuals to withdraw or deposit funds into the Parish bank accounts.
- (19) Any expenditure of Parish funds shall require a simple majority resolution of the Parish Council, or the simple majority resolution of all the members of the Diocesan Financial Advisory Board.

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- (20) Upon the expiration of its term, the Parish Council shall surrender to the succeeding Parish Council all records.
- (21) Upon the request of the Secretary, the Corporate Trustees may remove any member of the Parish Council if that member deviates from the faith, or violates their fiduciary obligation towards the Church or the Parish, or abandons their duties as a member of the Parish Council.

### **Annual General Meetings**

- (22) Annual General Meetings shall be held to inform parishioners of progress against Parish objectives as well as spiritual, financial, social or administrative matters that concern the Parish.
- (23) A notice shall be published advertising the time, date and location of the Annual General Meeting at least four weeks prior to the date of the meeting.

### **Objectives of the Parish**

- (24) The Parish shall:
- A. Promote a Christian way of life according to the faith and doctrines of the Coptic Orthodox Church through:
- i. administering the sacraments;
  - ii. the pastoral work of the clergy;
  - iii. Christian education, publication and Sunday Schools;
  - iv. spiritual meetings and Bible study;
  - v. group activities such as spiritual camps, cultural clubs, sports, religious plays, social gatherings, trips, ethnic classes and similar activities; and
  - vi. social services to members of the Church;
  - vii. co-operate and assist other Coptic Orthodox Churches, Monasteries, and Convents;
  - viii. carry out evangelistic and missionary work;

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- ix. promote Christian unity guided by the work of the Holy Synod in this respect; and
- x. support the Mother Church in Egypt.

- (25) The Parish shall ensure that the assets and income of the Parish shall be applied solely to further its objects and no portion shall be distributed directly or indirectly to the members of the Parish except as genuine compensation for services rendered or expenses incurred on behalf of the Parish.
- (26) In the event of the Parish being dissolved, all assets that remain after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another Parish with similar purposes, which is charitable at law and which has rules prohibiting the distribution of its assets and income to its members.
- (27) If the Parish is wound up or its endorsement as a deductible gift recipient is revoked (whichever occurs first), any surplus of the following assets shall be transferred to another Parish with similar objects, which is charitable at law, to which income tax deductible gifts can be made:
- A. gifts of money or property for the principal purpose of the Parish;
  - B. contributions made in relation to an eligible fundraising event held for the principal purpose of the Parish; and
  - C. money received by the Parish because of such gifts and contributions.

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## RULE 4: THE DIOCESAN GENERAL ADVISORY BOARD AND DIOCESAN GENERAL ADVISORY COUNCIL

- (1) The Diocesan General Advisory Council and its Board shall be concerned with matters affecting the life and growth of the Diocese and the good governance and effectiveness of the Diocese, Parishes and Church Entities, as well as the creation of any by-laws for the Diocese, Parishes and Church Entities. The Diocesan General Advisory Board are responsible for:
- A. overseeing the creation, implementation and compliance of the by-laws of the Diocese, Parishes and Church Entities; and
  - B. ensuring effective channels of communication with the Corporate Trustees, Diocesan General Advisory Council, Diocesan Financial Advisory Board, Parishes and Church Entities.

### Diocesan General Advisory Council

- (2) The Diocesan General Advisory Council shall be constituted as follows:
- A. the Bishop or the Papal Representative who shall be an ex-officio member;
  - B. the Vicar General of the Diocese who shall be an ex-officio member;
  - C. for each Parish in the Diocese, the most senior Parish Priest, or the Parish Priest that he nominates;
  - D. the secretaries and the treasurers of the Parish Council of each Parish in the Diocese;
  - E. the General Superintendent of Sunday School for the Diocese and of each Parish in the Diocese;
  - F. the Diocese Youth Representative;
  - G. one (1) member of each Church Entity; and
  - H. any other member as appointed by the Corporate Trustees or the Pope.

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- (3) The Corporate Trustees shall convene a meeting of the Diocesan General Advisory Council at least once annually.

### **Diocesan General Advisory Board**

- (4) The Diocesan General Advisory Board reports to the Corporate Trustees.
- (5) The Diocesan General Advisory Board shall be constituted as follows:
- A. Chairperson, being the Bishop or the Papal Representative who shall be an ex-officio member;
  - B. Secretary, being the General-Secretary of the Corporate Trustees who shall be an ex-officio member;
  - C. Treasurer, being the Chairperson of the Diocesan Financial Advisory Board who shall be an ex-officio member;
  - D. the Vicar General of the Diocese who shall be an ex-officio member;
  - E. General Superintendent of Sunday School for the Diocese who shall be an ex-officio member;
  - F. three (3) members from the Parish Priests as elected by a secret ballot at the annual general meeting of the Priests of the Diocese;
  - G. twelve (12) lay members chosen from the treasurers and secretaries of the Parish Councils as elected at the annual meeting of the Diocesan General Advisory Council, ensuring that the members proportionally represent the geographic regions of the Diocese;
  - H. one (1) lay member of each Church Entity;
  - I. the Diocese Youth Representative; and
  - J. any other member as appointed by the Corporate Trustees or the Pope.
- (6) The Corporate Trustees may regulate the meetings and proceedings of the Diocesan General Advisory Board as they deem fit.

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- (7) The Diocesan General Advisory Board may delegate any of their powers to a committee, and may from time to time revoke such delegation.
- (8) Each Parish Council is to have no more than one (1) representative on the Diocesan General Advisory Board.
- (9) Except for the Bishop or Papal Representative, the term of the members of the Diocesan General Advisory Board shall be four (4) years from the date they were last appointed. A retiring member of the Diocesan General Advisory Board shall be eligible for re-appointment.
- (10) The Corporate Trustees, in their absolute discretion, may determine the powers and authority of the Diocesan General Advisory Board to make decisions.

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## RULE 5: THE DIOCESAN FINANCIAL ADVISORY BOARD

- (1) The Diocesan Financial Advisory Board shall be concerned with ensuring financial transparency, accountability, and the financial good governance and effectiveness of the Diocese, Parishes and Church Entities, as well as the creation of any by-laws for the Diocese, Parishes and Church Entities. The Diocesan Financial Advisory Board are also responsible for:
  - A. overseeing the creation, implementation and compliance of the financial by-laws of the Diocese, Parishes and Church Entities;
  - B. the preparation and publication, through the official communication channels of the Diocese, of the financial statements of the Diocese, within ninety (90) days after the end of the financial year; and
  - C. maintaining effective channels of communication with the Corporate Trustees, Diocesan General Advisory Council, Parishes, and Church Entities.
- (2) The Diocesan Financial Advisory Board reports to the Corporate Trustees.
- (3) The Diocesan Financial Advisory Board shall be constituted as follows:
  - A. seven (7) Treasurers as elected by the Treasurers of the Parishes and Church Entities at the annual meeting of the Diocesan General Advisory Council, ensuring that the members proportionally represent the geographic regions of the Diocese.
  - B. any other lay member(s) as appointed by the Corporate Trustees; and
  - C. any other lay member(s) as appointed by the Pope.
- (4) The Diocesan Financial Advisory Board shall elect from their members:
  - A. Chairperson, who shall be the General-Treasurer of the Diocese; and
  - B. Secretary.
- (5) The Corporate Trustees may regulate the meetings and proceedings of the Diocesan Financial Advisory Board as they deem fit.

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- (6) The Diocesan Financial Advisory Board may delegate any of their powers to a committee, and may from time to time revoke such delegation.
- (7) The term of the members of the Diocesan Financial Advisory Board shall be four (4) years from the date they were last appointed. A retiring member of the Diocesan Financial Advisory Board shall be eligible for re-appointment.
- (8) The Corporate Trustees, in their absolute discretion, may determine the powers and authority of the Diocesan Financial Advisory Board.
- (9) The General-Treasurer and Secretary shall be duly authorised to communicate with any financial institutions and government regulatory authorities in relation to the financial affairs of the Diocese, Parish or Church Entity.

for discussion purposes

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## **RULE 6: THE CORPORATE TRUSTEES OF THE COPTIC ORTHODOX CHURCH (NSW) PROPERTY TRUST**

- (1) There is constituted by the Act a corporate body under the corporate name of the Coptic Orthodox Church (NSW) Property Trust.
- (2) The functions of the Trust and the powers and responsibilities of the corporate body of trustees are set out in the Act.
- (3) The members of the corporate body of trustees shall not be less than nine (9) members and shall be constituted as follows:
  - A. one (1) member being the Bishop or Papal Representative;
  - B. one (1) member being the Vicar General who shall be an ex-officio member;
  - C. one (1) member shall be the Secretary of the Diocesan General Advisory Board who shall be an ex-officio member, and who shall also occupy the position of General-Secretary of the corporate body of trustees;
  - D. one (1) member shall be the Chairperson of the Diocesan Financial Advisory Board who shall be an ex-officio member; and
  - E. five (5) members shall be lay members approved by the Pope or any member(s) appointed by the Pope.
- (4) The five (5) lay members of the corporate body of trustees shall be elected by a Review Committee comprising of seven (7) of the most senior hegumen clergy in the Diocese (to be determined by years of ordination).
  - A. Each Parish Council may propose one (1) lay person to be a member of the corporate body of trustees.
  - B. The Review Committee shall vote for five (5) lay persons to be members of the corporate body of trustees ensuring that the members proportionally represent the geographic regions of the Diocese.
  - C. The Review Committee shall present to the Pope the names of elected individuals and their qualifications.

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- D. The Pope has the right to either accept or refuse an elected individual depending upon the suitability of the candidate.
- E. An elected individual shall be a member of the corporate body of trustees upon the approval of the Pope.
- F. A casual vacancy in the members of the corporate body of trustees shall be filled in the same manner by the Review Committee, or by direct appointment by the Pope.
- (5) The Chairperson of the Diocesan Financial Advisory Board shall be a member of the corporate body of trustees upon approval by the Pope.
- (6) General-Secretary shall be the secretary of the corporate body of trustees and shall maintain the register of resolutions of the Trust, and to keep the Trust's seal in safe custody.
- (7) Except for the ex-officio members, the term of the members of the corporate body of trustees shall be four (4) years from the date they were last appointed. A retiring member of the corporate body of trustees shall be eligible for re-appointment.
- (8) The Pope may at any time terminate the appointment of the members of the corporate body of trustees and appoint any other member as the Pope may deem fit.
- (9) The seal of the Trust is to be kept by the General-Secretary of the Trust and is to be affixed to a document only:
- A. only with the authority of a simple majority resolution of all the members of the corporate body of Corporate Trustees;
- B. in the presence of two (2) members of the corporate body of trustees; and
- C. by writing the words near the common seal of the Trust:

*“The Common Seal of the COPTIC ORTHODOX CHURCH (NSW) PROPERTY TRUST was hereto affixed pursuant to the resolution of the Corporate Trustees dated \_\_\_\_\_”*

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- (10) All legal issues which affect the Church, the Bishop, the Diocese, the Parishes, or the Trust Property are within the exclusive jurisdiction of the corporate body of trustees of the Trust.
- (11) The corporate body of trustees shall be responsible for the Coptic Orthodox Colleges and for the appointment of the directors to the Coptic Orthodox Colleges, having regard to the recommendations of the current directors and to the laws and regulations that govern the Coptic Orthodox Colleges. The Coptic Orthodox Colleges report to the corporate body of trustees.
- (12) The corporate body of trustees may regulate their meetings and proceedings as it deems fit.
- (13) The corporate body of trustees shall ensure that the assets and income of the Diocese, a Parish or a Church Entity shall be applied solely to further their objects and no portion shall be distributed directly or indirectly to their members except as genuine compensation for services rendered or expenses incurred on behalf of the Diocese, or a Parish or a Church Entity.
- (14) In the event of the Diocese, a Parish or a Church Entity is dissolved, the corporate body of trustees shall ensure that all assets that remain after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes, which is charitable at law and which has rules prohibiting the distribution of its assets and income to its members.
- (15) In the event that the Diocese, or a Parish or a Church Entity is wound up or its endorsement as a deductible gift recipient is revoked (whichever occurs first), any surplus of the following assets shall be transferred to another organisation with similar objects, which is charitable at law, to which income tax deductible gifts can be made:
  - A. gifts of money or property for the principal purpose of the organisation;
  - B. contributions made in relation to an eligible fundraising event held for the principal purpose of the organisation; and
  - C. money received by the organisation because of such gifts and contributions.

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## RULE 7: THE CLERICAL COUNCIL

- (1) The Clerical Council is the tribunal authorised by the Church to adjudicate applications for remarriage, grant or refuse permissions to remarry and all related family affairs as well as cases involving alleged moral and disciplinary offenses of clergy and lay members of the Church. The Clerical Council determines matters before it in accordance with the Church doctrines, teachings, traditions, rites and canons.
- (2) The Clerical Council of the Diocese receives its authority and its constitution from the Holy Synod of the Church.
- (3) The Clerical Council of the Diocese is presided over by the Bishop or the Papal Representative and is composed of four (4) other members who are canonical Priests of the Diocese.
  - A. At the annual general meeting of the Priests of the Diocese, the Vicar General and the most senior Priest of the Diocese shall call for nominations from the Priests for membership to the Clerical Council.
  - B. The Priests shall vote for four (4) nominees to be members of the Clerical Council. The vote shall be a secret ballot.
  - C. The Vicar General and the most senior Priest of the Diocese shall record the votes to determine the four (4) Priests who are elected to the Clerical Council.
  - D. A casual vacancy in the Clerical Council shall be filled in the same manner.
- (4) The Clerical Council is the permanent and semi-permanent ecclesiastical punitive measures cannot be executed against any person in the Church unless investigated and ratified by the Clerical Council.
- (5) Decisions of the Clerical Council of the Diocese can be appealed to the General Clerical Council in Egypt presided by the Pope.
- (6) Decisions of the General Clerical Council in Egypt can be appealed to the Holy Synod of the Coptic Orthodox Church, which has the right to accept or refuse this final appeal. Any member of the Church can make an appeal.

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## **RULE 8: THE RELATIONSHIP BETWEEN THE PARISHES OF THE DIOCESE OF SYDNEY AND AFFILIATED REGIONS, AUSTRALIA AND THE MOTHER CHURCH OF ALEXANDRIA**

- (1) *(This rule cannot be changed)* Each Coptic Orthodox Church Parish in the Diocese is an indivisible part of the Coptic Orthodox Church of Alexandria (Egypt) which has as its supreme head the Pope, and derives its authority to function in every respect from the Holy Synod of the Coptic Orthodox Church.
- (2) The Pope has the right to transfer outside the Diocese any Priest(s) who has been assigned by him from Egypt to serve in the Diocese.
- (3) If a Priest is not accepted by the majority of members of the Parish, the Bishop or the Papal Representative, together with the Clerical Council of the Diocese, will determine a suitable outcome.
- (4) The Pope is the supreme head of all monasteries, convents, religious orders, and seminaries in the entire See of St Mark. The Pope has the right to assign these religious organisations to the Patriarchate in Alexandria, Egypt, or to the Diocese in which they are located<sup>iii</sup>.
- (5) No new monastery, convent, religious order, or seminary can be founded except with consent of the Pope.

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## **RULE 9: THE RELATIONSHIP BETWEEN THE PARISHES IN THE DIOCESE OF SYDNEY AND AFFILIATED REGIONS AND THE DIOCESE TO WHICH THEY BELONG**

- (1) The Bishop or the Papal Representative is the responsible head of the Diocese in accordance with the traditions and canons of the Coptic Orthodox Church.
- (2) The Bishop or the Papal Representative shall appoint Priest(s) to serve the Parishes in the Diocese from amongst suitably qualified persons in the Diocese, or elsewhere in the See of St Mark. The Parish parishioners have the right to nominate a Priest.
- (3) The Priests and Deacons are bound by the spiritual advice of the Bishop or the Papal Representative. The Priests and Deacons are accountable to the Bishop of the Diocese where they are serving. The Bishop cannot render any judgement on any Priest or Deacon except through the Clerical Council of the Diocese.
- (4) The Bishop or the Papal Representative, the Corporate Trustees, the Diocesan Financial Advisory Board, and the Diocesan General Advisory Board shall be responsible for the good governance and effectiveness of the Parishes and the creation of any by-laws for the Parishes.
- (5) The Corporate Trustees, the Diocesan Financial Advisory Board, and the Diocesan General Advisory Board are responsible to define the relationship between the Parishes in the Diocese and to set up the boundaries of the services of each Parish.

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## RULE 10: AMENDMENTS TO THE CONSTITUTION

- (1) Notwithstanding Rule 1(1), Rule 1(2), and Rule 8(1), this Constitution may not be amended at any time unless:
- A. The General-Secretary of the Diocesan General Advisory Council has provided written notice of any proposed amendment(s) to this Constitution to the Diocesan General Advisory Council. The notice period prior to any vote on the proposed amendment(s) to this Constitution is to be a period of no less than six (6) months. At the expiry of the six (6) month notice period the members of the Diocesan General Advisory Council are to vote on the proposed amendment(s). The proposed amendment(s) require the vote of seventy-five percent (75%) of the members of the Diocesan General Advisory Council; and
  - B. After the proposed amendment(s) to this Constitution have been approved by a vote of seventy-five percent (75%) of all the members of the Diocesan General Advisory Council, the proposed amendment(s) are to be put to the Corporate Trustees for their consideration. The proposed amendment(s) require the unanimous written approval of the Corporate Trustees; and
  - C. After the proposed amendment(s) to this Constitution have been given the unanimous written consent of the Corporate Trustees, the proposed amendment(s) are to be provided to the Pope. The Pope has the right to either accept or refuse the proposed amendment(s) to this Constitution.
- (2) Notwithstanding Rule 10(1), this constitution may be amended at any time by His Holiness the Pope.

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## DEFINITIONS

- (1) “**Act**” means the *Coptic Orthodox Church (NSW) Property Trust Act 1990*.
- (2) “**Bishop**” means the Bishop of the Church or, if the Bishop of the Church is absent from New South Wales or otherwise unable to perform the functions of office, or there is a vacancy in the See, the person appointed by the Pope for the time being entitled to perform the functions of the office of Bishop according to the rules and customs of the Church.
- (3) “**Church**” means the Coptic Orthodox Church, a hierarchical Christian body whose leader, overseer and shepherd is the Pope of Alexandria and Patriarch of the See of St. Mark, and includes any Church entity.
- (4) “**Church Entity**” means a body, corporate or unincorporate, established by the Church which:
  - A. has objectives not inconsistent with those of the Church as set out in the constitution; and
  - B. is certified in writing by the Corporate Trustees to be a Church entity.
- (5) “**Diocese**” means the Coptic Orthodox Church, Diocese of Sydney and its Affiliated Regions that has been established by His Holiness Pope Shenouda III. The Affiliated Regions of the Diocese include any other region nominated by the Pope.
- (6) “**Coptic Orthodox Colleges**” refers to the corporation known as the NSW Coptic Orthodox Board of Education Ltd and its successors, governing the following Coptic Orthodox Church colleges and their campuses:
  - A. St Mark's Coptic Orthodox College;
  - B. St Mary & St Mina's Coptic Orthodox College;
  - C. St Mary & St Mina's Coptic Orthodox College; and
  - D. St Bishoy Coptic Orthodox College,and including any other College established by the Diocese.

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- (7) “**corporate trustees**” and “**corporate body of trustees**” include collectively the corporate bodies of trustees now or hereafter to be constituted for the Church under the Act.
- (8) “**Diocese Youth Representative**” means the person nominated by the corporate body of trustees to occupy that position, or the Bishop of Youth as may be ordained by the Pope.
- (9) “**Interim Trustees**” means the trustees appointed by a written Decree of His Eminence Metropolitan Tadros dated 17 January 2020 issued with the authority of His Holiness Pope Tawadros II and the authority of the Holy Synod of the Coptic Orthodox Church appointing trustees to manage the temporal affairs of the Diocese and authorised to do all acts as may be required for the good governance and effectiveness of the Diocese, its Parishes and its Church Entities.
- (10) “**Papal Representative**” means the individual appointed by the Pope, in the Pope’s absolute discretion, to carry out or oversee the duties and responsibilities of the office of Bishop. The Papal Representative shall take precedence over the Bishop.
- (11) “**Parish**” means a community of the faithful within a particular church, whose pastoral care has been entrusted to a Parish Priest under the authority of the Bishop.
- (12) “**Pope**” means the leader, overseer and shepherd of the Church being the Pope of Alexandria and Patriarch of the See of St. Mark.
- (13) “**Treasurers**” means the lay treasurers of the Parish Council of each Parish in the Diocese and the lay treasurers of each of the Church Entities.
- (14) “**Trust**” means the Coptic Orthodox Church (NSW) Property Trust constituted by the Act.
- (15) “**Trust Property**” means property vested in or acquired by the Trust.

<sup>i</sup> Constitution and By-laws of the Holy Synod, June 1985. Articles 1, 4, 8

<sup>ii</sup> Constitution and By-laws of the Holy Synod, June 1985. Articles 2, 6

<sup>iii</sup> Article 58 in the Constitution and By-laws of the Holy Synod

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