

THE CHURCH OF NIGERIA (*ANGLICAN COMMUNION*)

CONSTITUTION

WHEREAS on St. Matthias' Day, the 24th day of February, 1979, sixteen Dioceses of Anglican Communion within Nigeria were constituted into a separate Province of Nigeria with Archbishop Timothy Olufosoye as the first Primate;

WHEREAS the said Province of Nigeria constituted herself into the Church of Nigeria (Anglican Communion) and enacted a Constitution to regulate her affairs and promote her well-being;

WHEREAS the Church of Nigeria (Anglican Communion) operated the 1979 Constitution until 20th day of September, 1997, when it was amended under Archbishop Abiodun Adetiloye;

WHEREAS the Church of Nigeria (Anglican Communion) operated the Constitution and Canons of 1997 until the General Synod meeting held between 3rd and 8th of September, 2002, with the Most Reverend Peter Jasper Akinola presiding;

WHEREAS it was considered desirable to further amend the Constitution and Canons of 1997;

The General Synod of the Church of Nigeria (Anglican Communion) hereby enacts the following Constitution:

CHAPTER I

THE GENERAL PROVISIONS

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| CITATION | 1. | This Constitution shall be known as the Constitution of the Church of Nigeria (Anglican Communion), 2002. |
| UNITY | 2. | (1) The Church of Nigeria (Anglican Communion), hereinafter called "the Church of Nigeria", shall remain one united and indissoluble Church under God. |
| AIMS, OBJECTIVES AND PRINCIPLES | (2) | The aims, objectives and principles of the Church of Nigeria (Anglican Communion) are:
(a) To evangelize, and promote the knowledge of God and the adherence to the teaching and examples of Jesus Christ;
(b) To promote Christian education, values and morals;
(c) To assist in the care and welfare of the people, particularly the poor, the aged and the needy;
(d) To provide for the spiritual welfare of her members;
(e) To acquire land for the attainment of her objectives;
(f) To raise funds through launches, contributions and any other lawful means;
(g) To undertake all other things which are reasonably incidental to the foregoing objectives. |

MEMBERSHIP

(3) Subject to any Canon or Regulation made in that behalf, the membership of the Church of Nigeria (Anglican Communion) shall be open to all persons who accept the aims and objectives, the doctrines and the Constitution of the Church.

SECRETARIAT

(4) The Secretariat of the Church shall be in Episcopal House, 23 Douala Street, Wuse Zone 5, Abuja or in such other place in Nigeria as the General Synod of the Church may decide.

**SEE OF
CANTERBURY**

3. (1) The Church of Nigeria (Anglican Communion) hereinafter called "The Church of Nigeria" or "This Church" shall be in full communion with all Anglican Churches Dioceses and Provinces that hold and maintain the Historic Faith, Doctrine, Sacrament and Discipline of the one Holy, Catholic, and Apostolic Church as the Lord has commanded in His holy word and as the same are received as taught in the Book of Common Prayer and the ordinal of 1662 and in the Thirty-Nine Article of Religion.

(2) In the interpretation of the aforementioned formularies and in all questions of Faith, Doctrine and Discipline, the decisions of the Ecclesiastical tribunals of the Church of Nigeria shall be final.

4. The Church of Nigeria shall have three Orders of the Ministry, namely:

**ORDERS OF
MINISTRY**

(a) Bishops who shall have a special responsibility and authority for the preservation of the truth of the doctrine of the Church for the purity of its life, and the worthiness of its worship;

(b) the Priests who in co-operation with and under the guidance of the Bishops have a special responsibility for preaching the word of God and administering the Holy Sacraments and generally for the cure of souls; and

(c) the Deacons, who have a special responsibility for the care of the poor and distressed, for the instruction of the young and the ignorant and for giving assistance to the Priests in Divine Service.

THREE years; provided that the General Synod shall meet whenever the Archbishop, Metropolitan and Primate decides that the circumstances of the Church require it and provided also that the General Synod shall be summoned by the Archbishop, Metropolitan and Primate whenever requested to do so by at least one-third of the membership of a House.

**PRESIDENT OF
THE GENERAL
SYNOD**

13. (1) The Primate of the Church of Nigeria (Anglican Communion) shall be President of the General Synod and shall preside at all sessions thereof.

(2) During a vacancy in the office of Primate or the absence of the Primate from any meeting of the General Synod or any Committee, Council, Board or Commission constituted under the Constitution or any Canon, unless otherwise provided, the Dean of the Church of Nigeria or in his absence the Provincial Archbishop senior by presentation as Archbishop, and if none be present, the Bishop senior by consecration, shall preside.

**NOTICE OF
GENERAL
SYNOD**

14. (1) The Primate shall give to all the Bishops of the Church of Nigeria at least six calendar months notice of every ordinary session of the General Synod, and the Bishop of each Diocese shall cause such notice to be published throughout his Diocese and sent to all members of the General Synod in his Diocese through their registered address within four weeks of receiving such notice provided that when a special session of the General Synod is convened, two months notice shall be sufficient.

(2) The agenda for the General Synod shall be prepared by the Primate in consultation with the Standing Committee of the Church of Nigeria.

QUORUM

15. At least one-third of the members of each of the three Houses of Bishops, Clergy and Laity representing at least three-quarters of the number of Dioceses in the Church of Nigeria must be present for the transaction of business in the General Synod, and it shall be competent for any member of the Synod, at any time to call for the counting of the members present.

VOTING

GENERAL

16. The three Houses shall sit together and unless a greater vote on any question is required by the Constitution or by the Canons or any regulation made hereunder in cases not specifically d e a l t with by this Constitution or unless a vote by Houses is required under this Constitution, the affirmative vote of the majority of all the members present and voting at a duly constituted session of the General Synod shall suffice to carry any question.

**VOTING BY
HOUSES**

17. Where any member present at a session of the General Synod so demands, voting shall be by Houses and shall be conducted in the following order: first, the House of Laity, then the House

**MAJORITY
WHERE VOTING
IS BY HOUSES**

of Clergy and then the House of Bishops.

18. Where voting is by Houses the assent of the majority of members present of each of the three Houses shall be necessary.

**PROLOCUTOR AND
CHAIRMAN OF
HOUSE OF LAITY**

19. During every session of the General Synod the House of Clergy shall elect one of its members as Prolocutor, to preside over the House of Clergy and over a joint assembly of the Clergy and Laity and the House of Laity shall elect one of its members as Chairman, to preside over the House of Laity, should the Houses of the General Synod deliberate separately.

**TENURE OF
MEMBERS**

20. The members and officers of the General Synod from the Houses of Clergy and of Laity shall remain in office until their successors have been appointed or elected.

**FAILURE IN
REPRESENTA-
TION NOT TO
INVALIDATE
PROCEEDING**

21. No proceedings or enactment or resolution of the General Synod or of any House, Committee, Commission or Body thereof shall be invalidated by any vacancy in the membership of the body concerned or by any defect in the qualification, election or appointment of any member thereof; neither shall failure or neglect on the part of any such representatives to attend invalidate the enactments or resolutions of the General Synod which enactments and resolutions shall have the same force in that Diocese as if such representatives had been present.

**CHAPTER III
FUNCTIONS, JURISDICTION AND POWERS
OF THE GENERAL SYNOD**

**FUNCTIONS
OF THE
GENERAL
SYNOD**

22. It shall be the duty of the General Synod -

(a) to consider matters concerning the Church of Nigeria and make provision for the administration of its affairs and for the promotion of the spiritual welfare and well being of its members by Canons, Regulations, Resolutions, Directives or other instruments as may be appropriate; and

(b) to consider and express their opinion on any matters of religious or public interest.

**LEGISLATIVE
POWER**

23. For the avoidance of doubt, the General Synod as hereby constituted shall be the legislative body of the Church of Nigeria and every enactment, resolution or directive of the said Synod shall have effect and be binding upon the Church, every Ecclesiastical Province or Diocese therein and upon all officers and members thereof and, subject as hereinafter provided the General Synod shall have authority and jurisdiction in all matters affecting in any way, the general interest and well-being of the

whole Church and in particular:

- (i) the constitution and organisation of the General Synod including the regulation of the time and place of its meetings, the order and conduct of its proceedings, and the appointment, functions and duties of its officers, committees and other organs;
- (ii) the national character, constitution, integrity and autonomy of the Church of Nigeria;
- (iii) the relations of the Church to other religious bodies in Nigeria and elsewhere;
- (iv) the relations of the Church to other Churches of the Anglican Communion;
- (v) the election, retirement or resignation of the Primate of the Church of Nigeria, the Provincial Archbishops and Diocesan Bishops including the consecration of Diocesan Bishops;
- (vi) discipline of Clergy and of Laity of the Church of Nigeria;
- (vii) the constitution and powers of and procedure in courts of original and appellate jurisdiction for the trial of offences and the enforcement of judgements;
- (viii) the revision, adaptation and publication of a Book of Common Prayer and a Hymnal for the Church;
- (ix) the establishment of minimum standards of theological education and minimum qualifications and training of candidates for the Ministry of the Church;
- (x) the regulation of inter-diocesan transfer of clergy;
- (xi) the relinquishment or abandonment of the Ministry of the Church;
- (xii) the administration of all funds and trusts established in respect of the Church;
- (xiii) the administration of a group insurance plan for the benefit of the Clergy and lay employees of the Church;
- (xiv) the sub-division of the Church into more Internal Provinces and the Constitution of any number of Dioceses into a new Internal Province provided that no new Internal Province shall consist of less than seven Dioceses and that such separate Provinces shall be geographically contiguous and related to one another by such common organs as the General Synod may determine provided that to start with there shall be ten Internal Provinces as specified in the

schedule hereto **which shall include any Diocese or Dioceses created hereafter out of the Dioceses listed within the Provinces therein.**

(xv) exclusive authority and jurisdiction in respect of all matters of common concern to the whole Church as well as matters affecting relations between the Church and the Dioceses and between the Dioceses including (without prejudice to the generality of the foregoing) the subdivision of Dioceses and of Provinces, the rearrangement of existing Dioceses and Provinces and the creation of new Dioceses

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all such other matters that affect the communion of the Dioceses with one another as the General Synod shall think fit;

(xvi) after such consultation as may be deemed necessary by the General Synod, the determination of the location of headquarters of Dioceses, Ecclesiastical Provinces and of the Church of Nigeria including power to relocate such headquarters; and

(xvii) either by itself or its Standing Committee to give directives either directly or through the Archbishop and Primate to any person appointed to, or holding any office under this Constitution or the Constitution of an Ecclesiastical Province or of a Diocese therein on any matter appearing to it to relate to any powers conferred on it by this Constitution, or to the well-being of the Church, and it shall be the duty of any such officer or person to carry out such directive.

**DOCTRINAL
FORMULAE**

**CHAPTER IV
FAITH AND ORDER**

**APPROVAL
OF DIOCESAN
SYNODS**

24. A provision touching doctrinal formulae of the service or ceremonies of the Church of Nigeria or the administration of the sacraments or sacred rites thereof shall, before it is finally approved by the General Synod, be referred to the House of Bishops, and shall be submitted for such final approval in terms proposed by the House of Bishops and not otherwise.

**POWER OF
HOUSE OF
BISHOPS**

25. An Article or Canon or Regulation for permanent changes in the services of Baptism or Holy Communion or in the Ordinal, or a scheme for a constitutional union or a permanent and substantial change of relationship between the Church of Nigeria and another Christian Body, being a body a substantial number of whose members reside in Nigeria, shall not be finally approved by the General Synod unless at a stage determined by the Archbishop, Metropolitan and Primate, the Article or Canon or Regulation or Scheme, or the substance of the proposals embodied therein, shall have received the approval of the Diocesan Synods of at least two-thirds of the Dioceses

of the Church of Nigeria.

26. The House of Bishops or Episcopal Synod shall have power to make such adaptations and abridgements of, and addition to, the services of the Church as may be required from time to time and the General Synod may prescribe the manner, extent and circumstances in which a Bishop may authorise the use of any alterations in a service approved by the House of Bishops:

CHAPTER V

THE ARCHBISHOP, METROPOLITAN & PRIMATE

**PRESIDENT OF
THE GENERAL
SYNOD**

27. (1) The President of the General Synod shall be the Archbishop, Metropolitan and Primate of the Church of Nigeria, whose recommendations shall be submitted for consideration to the Episcopal Synod. He shall have privileges, powers, authority and duties as are defined by the Constitution, Canons and Regulations made by or under the authority of the General Synod and shall exercise all the rights and perform all the duties of the office of a Metropolitan.

(2) The Primate shall summon and preside over meetings of the General Synod, Episcopal Synod, and the Standing Committee, and is the Principal Minister of the Church of Nigeria (Anglican Communion).

**EX-OFFICIO
MEMBERSHIP**

28. The Primate shall be an ex-officio member of all Committees, Boards, Commissions and Councils appointed under any provision of this Constitution or of any Canon enacted by the General Synod or under any resolution of the General Synod or of its Standing Committee.

THE DEAN

29. (1) During a vacancy in the Office of Primate or during the illness or other incapacity of the Primate, the Dean of the Church of Nigeria shall have authority to perform all the duties of the Primacy and shall be styled Acting Primate.

(2) In the absence of the Primate from any meeting of General Synod or any Committee, Council, Board or Commission, constituted under the Constitution or any Canon of the synod, unless otherwise provided, the Dean or the Provincial Archbishop senior by presentation as Archbishop, or if none should be present, the Bishop senior by consecration, shall preside.

**VACANCY IN
PRIMACY**

30. The office of the Primate shall become vacant when -

(1) he dies;

(2) he has held office for ten years from the date of his presentation or when he attains the age of seventy years, whichever first occurs;

(3) having given notice of his intention to resign or retire, the Dean has in consultation with the Episcopal Synod accepted the resignation; or

(4) upon representation made to the Dean by at least two Diocesan Bishops his appointment is terminated or he is required to retire by a resolution supported by a majority of two-thirds of the General Synod: Provided that he shall be given the fullest opportunity to defend himself against any charges that may have been brought against him.

OTHER FUNCTIONS OF THE ARCHBISHOP, METROPOLITAN AND PRIMATE

31. In addition to his functions as Diocesan Bishop, the Primate shall have the following functions -

(a) to have a general authority and supervision over the whole of the Church of Nigeria in accordance with the provisions of this Constitution and the Canons of the Church.

(b) to confirm the appointment of any person duly elected a Bishop in the Church of Nigeria and to arrange for his consecration if he be not already consecrated;

(c) to preside when he is so required by Regulations pertaining thereto at the hearing of appeals in accordance with the provisions of this Constitution concerning the trial of Bishops, the Clergy, and the Laity and also on other occasions when the House of Bishops sits as a court.

(d) to visit officially the Dioceses of the Church of Nigeria whether at the invitation of the Bishop of the Diocese or on his own initiative;

(e) to represent the Church of Nigeria in its relationship with the rest of the Anglican Communion and other Churches in communion with it and on its behalf to correspond with other Metropolitans;

(f) to perform such other functions prescribed by this Constitution or as may from time to time be entrusted to him by the General Synod or the Standing Committee.

**CHAPTER VI
POWER TO APPOINT COMMITTEES AND COMMISSIONS**

COMMITTEES AND COMMISSIONS

32. (1) The General Synod may appoint or provide by their Standing Orders for the appointment of a Standing Committee and such other Committees, Commissions, Departments and bodies, which may include persons who are not members of the Synod and such Officers as they think fit.

(2) Each House may appoint or provide by their Standing Orders for the appointment of such Committees of their members as they think fit.

(3) The Primate may invite an expert on any relevant subject to address the General Synod or the Standing Committee on that subject: Provided that such person shall not have the right to vote.

CHAPTER VII POWER TO MAKE STANDING ORDERS

**STANDING
ORDERS**

33. (1) The General Synod may make, amend and revoke Standing Orders, providing for any of the matters for which such provision is required or authorized by this Constitution to be made, and consistently with this Constitution, for the meetings, business and procedure of the General Synod.
- (2) Provision may be made by the Standing Orders that the exercise of any power of the General Synod to suspend the Standing Orders or any of them shall require the assent of such a majority of the members of the whole Synod present and voting as may be specified in the Standing Order.
- (3) Standing Orders of the General Synod may provide for separate sittings of any of the three Houses or joint sittings of any two Houses and as to who is to take the Chair at any such separate or joint sitting.
- (4) Each House may make, amend and revoke Standing Orders to regulate its own proceedings.

CHAPTER VIII ECCLESIASTICAL PROVINCES

**PROVINCIAL
COUNCIL**

34. (1) There shall be for each Ecclesiastical Province created within the Church of Nigeria a Provincial Council which shall consist of:
- (a) The Provincial Archbishop who shall preside as Chairman;
- (b) all Bishops of the Church of Nigeria having Sees within the Ecclesiastical Province;
- (c) Suffragan or Assistant Bishops within the Ecclesiastical Province; and
- (d) one clergyman from each Diocese elected at the Diocesan Synod.
- (e) one lay member from each Diocese elected at the Diocesan Synod.
- (f) Any such persons not exceeding two to be co-opted on *ad hoc* basis for their expertise; but they shall have no right to vote.
- (2) The Provincial Council shall meet on regular basis as determined by each Province or as provided by the Canons.

**TERRITORY OF
ECCLESIASTICAL
PROVINCE**

35. The exact territorial limits of each Ecclesiastical Province and of each Diocese therein as well as the location of the Headquarters of the same shall be determined by the General Synod or its Standing Committee.

**CONSTITUTION
OF A PROVINCE**

36. The Constitution of a Province shall be contained in a Canon enacted by the General Synod, provided that a Canon a p p r o v e d by the House of Bishops shall be operative until approved or amended by the General Synod.

**PRESIDENT
OF COUNCIL**

37. (1) The Provincial Archbishop shall preside over meetings of the Provincial Council or in his absence, the Bishop senior by consecration shall preside.

(2) Any dispute within a diocese which cannot be satisfactorily resolved by the Diocesan Bishop shall first be referred by an aggrieved party to the appropriate Provincial Archbishop.

**POWERS OF
PROVINCIAL
COUNCILS**

38. Provincial Councils shall have authority and jurisdiction to meet as often as occasions may demand either on the invitation of the Provincial Archbishop or at the request of two Bishops to discuss all matters of general interest and the well-being of the Church within their territorial jurisdiction and to implement their decisions on the following matters:

- (1) the training of priests;
- (2) the location of newly trained priests within the Province;
- (3) inter-diocesan transfer of priests;
- (4) pension and gratuities;
- (5) maintenance of common institutions;
- (6) co-operation with other Ecclesiastical Provinces within the Church of Nigeria.
- (7) such other matters as may be delegated by the General Synod.

**GENERAL
SYNOD AND
DIOCESES**

**CHAPTER IX
DIOCESES**

39. The General Synod shall have power -
(a) to create new Dioceses out of the existing Dioceses within Nigeria;
(b) to create Missionary Dioceses in Nigeria;

(c) to create convocations, chaplaincies of like-minded faithful outside Nigeria and to appoint persons within or outside Nigeria to administer them and the Primate shall give Episcopal Oversight

(d) to adjust the boundaries of existing Dioceses;

(e) to incorporate into the Church of Nigeria any Diocese in any adjacent country;

**DIOCESAN
SYNOD**

(f) to encourage Diocesan growth to full organisation; and
(g) to approve all Diocesan Constitutions in such a manner that, while giving full liberty to meet local conditions and desires, a degree of uniformity in Diocesan Constitutions as may be desirable for the well-being of the Church, is secured.

**DIOCESAN
COUNCIL**

40. Every fully organised Diocese shall have a Diocesan Synod consisting of the Diocesan Bishop, a House of Clergy and a House of Laity and a Constitution approved by the Diocesan Synod to govern its administration.

**EXTENT OF
DIOCESAN
AUTONOMY**

41. A Diocese that is not fully organised may be governed by a Bishop and a Council whose membership and powers shall be determined by the Bishop subject to the approval of the Primate.

42. The General Synod shall allow the Dioceses to deal with matters which concern only the members of the Church within each Diocese: Provided that no enactment of any Diocesan Synod shall have any force in the Diocese if it conflicts with any enactment of the General Synod.

**ELECTION OF
BISHOPS**

CHAPTER X ELECTION AND TENURE OF BISHOPS

**ELIGIBILITY
FOR ELECTION**

43. Every Diocesan Bishop of this Church shall be elected by the Episcopal Synod in accordance with the procedure laid down in the Canons and Regulations made under this Constitution but such election shall not take effect until the same is confirmed by the Archbishop, Metropolitan and Primate.

**TENURE OF
OFFICE**

44. A Bishop for any Diocese may be elected from among the Bishops or Clergy of any Diocese of the Church of Nigeria or of any other Diocese in communion with the Church of Nigeria.

45. The tenure of office of the Primate, a Provincial Archbishop and a Bishop shall be in accordance with the provisions of the Canon or Regulations made in respect thereof by the General Synod.

OFFICERS

CHAPTER XI OFFICERS OF THE GENERAL SYNOD

46. (1) The Officers of the General Synod shall be:

- ELECTION OF REGISTRAR**
- (i) the Archbishop, Metropolitan and Primate of the Church of Nigeria;
 - (ii) the Dean of the Church of Nigeria;
 - (iii) the Provincial Archbishops;
 - (iv) the Registrar of the Church of Nigeria;
 - (v) the Chancellor of the Church of Nigeria;
 - (vi) the General Secretary of the Church of Nigeria;
 - (vii) the Treasurer of the Church of Nigeria;
 - (viii) the Clerical Secretary; and
 - (ix) The Lay Secretary.

CHANCELLOR

(2) There shall be a Registrar of the Church of Nigeria, who shall be elected by the General Synod from the members of the House of Laity for the duration of the Synod, and who shall be a member of the legal profession of wide and considerable experience of not less than 15 years post-call experience,

ELECTION OF TREASURER

(3) There shall be a Chancellor for the Church of Nigeria, who shall be the Chancellor of the Diocese of which the Primate is a Diocesan Bishop, and who shall be a member of the legal profession of wide considerable experience of not less than 15 years post-call experience."

APPOINTMENT OF GENERAL SECRETARY

47. During the meetings of each session, the General Synod shall elect one of its members as Treasurer who shall serve until the beginning of the next ordinary session. In the event of his being unable to serve, the Primate, after consultation with the Prolocutor and the Chairman of the House of Laity, shall appoint a member to act until the next ordinary session of the Synod.

48. (1) There shall be established for the Church of Nigeria a Secretariat which shall be headed by a General Secretary who shall be a Clergyman in Priests' Order not below the status of an Archdeacon appointed by the Standing Committee on full-time basis upon such terms as it shall deem fit.

- (2) It shall be the duty of the General Secretary to:
- (a) attend meetings of the General Synod and of the Standing Committee of the General Synod and of any other Committee or body appointed by the Standing Committee as the Primate shall direct; and
 - (b) carry out such administrative or other duties as the Primate or the Standing Committee shall from time to time direct.

COMMITTEES OF THE GENERAL SYNOD

49. (1) There shall be a Standing Committee of the General Synod.

(2) The Standing Committee, hereinafter called "The Committee" shall consist of the Primate, the Dean, the Provincial Archbishops, the Diocesan Bishops, the Suffragan and Assistant Bishops, the Registrar of the Church of Nigeria, the Chancellor of the Church of Nigeria, the General Secretary of the Church of Nigeria, the Treasurer of the Church of Nigeria, the Clerical Secretary, the Lay Secretary, one Clerical member from each Diocese elected during the session of the General Synod from amongst the members of the General Synod on the nomination of their respective Diocese; and one lay member from each Diocese, who shall be the Diocesan Chancellor or a member of the Laity elected by the Diocesan Synod: Provided that in the event of the creation of a new Diocese in between two General Synods, the Diocesan Synod concerned shall elect one clerical and one lay member to represent the Diocese.

FUNCTIONS OF THE STANDING COMMITTEE

(3) The Primate shall be Chairman of the Standing Committee while the General Secretary shall be Secretary to the Committee.

50. It shall be the duty of the Standing Committee to act on behalf of the General Synod between sessions of the Synod, to advise the Primate in regard to such matters as he may think fit to refer to it, or that the Standing Committee may desire to bring to the notice of the Primate assist him in drawing up the agenda of the General Synod and carrying into effect the resolutions, programmes and policies of the General Synod and to administer the common fund of the Church provided that all decisions of the Standing Committee shall be liable to be reviewed by the General Synod.

REPORT TO THE GENERAL SYNOD

51. The General Secretary of the General Synod shall prepare a written report in summary form of all matters considered and dealt with by the Standing Committee since the last regular meeting of the General Synod not less than thirty days prior to each regular meeting of the General synod which shall be presented by the General Secretary at the session of the General Synod.

POWER OF GENERAL SYNOD

CHAPTER XIII DISCIPLINE

**TRIAL
PROCEDURE**

52. The General Synod shall have exclusive power to make provisions with regard to Discipline and in particular -
- (i) to prescribe and define offences for which a Bishop, Priest or Deacon or any member of the Laity of this Church may be tried:and
 - (ii) to determine the constitution and rules of procedure of Diocesan, Provincial and final appellate Tribunals for the exercise of Ecclesiastical discipline and establish a final court of Appeal for the purpose.

**REGISTERED
TRUSTEES**

53. Any Bishop, Priest or Deacon of a Diocese of this Church against whom a charge is brought shall be tried in accordance with the provisions of the Canon of Ecclesiastical Discipline.

**CHAPTER XIV
FUNDS AND PROPERTY: TRUSTEES**

**TRUSTEES
OF ALL
PROPERTY**

54. (1) There shall be a body known as "The Registered Trustees of the Church of Nigeria (Anglican Communion)" which shall have perpetual succession and may sue and be sued in its corporate name.
- (2) The Registered Trustees of the Church of Nigeria (Anglican Communion) shall consist of the following -
- (a) the Primate of the Church of Nigeria (Anglican Communion);
 - (b) the Dean of the Church of Nigeria;
 - (c) the Provincial Archbishops;
 - (d) the Registrar of the Church of Nigeria;
 - (e) The General Secretary of the Church of Nigeria (Anglican Communion).

**CHAIRMAN OF
TRUSTEES**

SEAL

55. With effect from the registration of the Trustees under the Companies and Allied Matters Act, 1990, all property of the Church of Nigeria (Anglican Communion), movable or immovable, real or personal, shall become vested in the Registered Trustees of the Church of Nigeria (Anglican Communion) for and on behalf of the General Synod.

56. The Primate of the Church shall be the Chairman of the Registered Trustees.

**TENURE OF
TRUSTEES**

57. The Registered Trustees shall have a corporate seal which shall be under the custody of the Registrar of the Church of Nigeria and shall be used with the attestation of at least four Trustees, but with the unanimous consent in writing of all Trustees.

Provided that in the event of the failure of Trustees to obtain a unanimous agreement, the General Synod by a simple majority, or the Standing Committee by two-thirds majority, may grant approval for the use of the seal.

- OTHER TRUSTEES AS AGENTS**
58. A Trustee shall cease to hold office—
- (a) if he dies;
 - (b) if he ceases to hold the office by virtue of which he became a Trustee;
 - (c) if he resigns as a Trustee;
 - (d) if he is declared bankrupt or insane by a competent tribunal or authority;
 - (e) if he is convicted of a criminal offence involving moral turpitude or other offences under Canon XIV;
 - or
 - (f) if he is removed as a Trustee by a simple majority of the members of the General Synod.
- REPORTS AND ACCOUNTS OF TRUSTEES**
- GENERAL FUND**
59. All Trustees holding property in trust for and on behalf of the Church of Nigeria shall henceforth be deemed to be the agents of, and be accountable to, the Registered Trustees of the Church of Nigeria (Anglican Communion), who shall have power to extend, terminate or vary the terms of the Trust where circumstances so warrant.
60. The Registered Trustees shall render reports and accounts to the General Synod in respect of all properties vested in them or their Agents.
61. A General Fund shall be established for the Church of Nigeria for the following purpose:
- (a) contributing toward the official expenses incurred by the Primate in the administration and visitation of the Church;
 - (b) providing in part or whole for the expenses of the meetings of the Episcopal Synod, the General Synod, and the Standing Committee of the General Synod as from time to time may be determined by the Standing Committee;
 - (c) contributing toward the maintenance and development of any Institution of the Church or any works approved by the General Synod; and
 - (d) providing for such other purposes as may be approved by the General Synod or by its Standing Committee.
- VESTING OF FUND**
62. (1) The General Fund shall be vested in and be administered by the General Synod.

**ANNUAL
CONTRIBUTION**

(2) Any funds, money or properties whatsoever which may be found due from Church of the Province of West Africa to the Church of Nigeria at its inauguration shall be transferred to and become vested in the General Synod of the Church of Nigeria.

**REGULATIONS
TO MANAGE
TRUST
PROPERTY**

63. The General Synod shall determine, and may from time to time increase or diminish, the contribution to be paid annually by each Diocese within the Church of Nigeria to the General Fund.

64. The General Synod shall frame such Regulations as may be necessary from time to time for the management of property held in trust for the Church of Nigeria and shall have full power and authority to determine in what manner, and upon what conditions such property shall be used or occupied, provided, however, that all regulations as to the tenure, management, and use of Church Property which have been hitherto made and shall be made hereafter by any Diocesan Synod, shall have force in that Diocese until other regulations be made by the General Synod, and except they be contrary to any regulations previously made in that behalf by the General Synod.

**DELEGATION
OF
MANAGEMENT**

65. The General Synod may delegate to any Synod, Board, Committee, or any other body, either specifically, as the case may require, or under such general regulations as may from time to time be laid down by the General Synod, any powers which may be required for the management of any property of the Church of Nigeria.

**VESTING OF
PROPERTY IN
TRUSTEES**

66. All property, of whatever nature or kind, whether movable or immovable, real or personal, which is or may be given, purchased, obtained or held for the benefit of the Church of Nigeria, shall, as soon as it is practicable, be transferred to and be vested in Trustees acting on behalf of the General Synod who shall be constituted the Registered Trustees of the Church of Nigeria (Anglican Communion) and all such property thus transferred shall be in trust, that such Trustees shall and do hold the same, or otherwise shall and do transfer the same, upon and according to such charitable Trusts, intents and purposes, whether Ecclesiastical, Evangelistic, Religious, Collegiate, Scholastic, as the General Synod of the Church of Nigeria shall from time to time direct or appoint in writing under the hand of any person or persons authorised by the General Synod in that behalf, subject, however, to any special Trusts imposed by the founder, Donor, Testator, or other benefactor. But no property subject to any such special Trusts shall be held by

**CONDITION
OF THE
TRUST**

any Trustee or Trustees acting on behalf of the General Synod, unless the same shall have been accepted, in terms of such Trusts, by the General Synod, or by some Synod, Board, Committee, or other body authorised by the General Synod in that behalf: Provided that no property shall, in any case, be vested in a sole Trustee, except it is so required by particular will or deed of Gift.

**OBEDIENCE
OF TRUSTEES**

67. Every Trustee in whom any property, whether movable or immovable, real or personal, shall be vested, either solely or jointly with any other person or persons, for and on behalf of the General Synod, shall hold the same with the powers and subject to the limitations, restrictions, declarations and provisions contained in section 66 of this Constitution, so far as the same may be consistent with any special Trusts affecting such property and any Synod, Board, Committee, or other Body appointed by the General Synod for that purpose, shall possess and may exercise any such of the powers belonging to the General Synod as shall be by the General Synod in that behalf prescribed.

**DIOCESAN
TRUSTEES**

68. Every Trustee appointed in the manner and for the purposes herein specified shall be subject to all and singular the regulations and directions which may from time to time be issued by or under the authority of the General Synod and shall be bound to obey and give effect to all decisions of the Tribunals for the exercise of Discipline, appointed by the said General Synod.

**APPOINTMENT
OF OTHER
TRUSTEES**

69. Every Diocesan Synod, or Diocesan Trusts' Board appointed by such Synod, shall be a body authorised to exercise on behalf of the General Synod, the powers designated in this Constitution and hereafter in respect to property given or acquired for the benefit of the Church in that Diocese. All diocesan Trustees shall carry out the objects of the Trusts in such manner, consistent with the terms of the Trust, as the several Diocesan Synods shall from time to time direct.
70. (1) The General Synod, or the Episcopal Synod, Board, Committee, or other Body, acting under its authority may, from time to time, appoint a Trustee or Trustees, for the whole or any portion of the property held in Trust; and may from time to time, as often as it shall think proper, cancel and revoke every such appointment, and may appoint another Trustee, or other Trustees, in the place of all or any one or more of the Trustees named in, or thereafter to be appointed by, or on behalf of, the

said General Synod.

(2) Any Trustee or Trustees may under the authority of the General Synod, as provided in the foregoing clause sell, and absolutely dispose of, either together or in parcels, and either by public sale or private contract, all or any part of the said Trust Property in respect of which no Trust shall have been created inconsistent with the exercise of this present power: or, by the like direction may exchange the said property, or any part thereof, for any other freehold or quitrent lands, tenements, or hereditaments; and give (out of any money in their hands, applicable to such purpose) or receive any money by way of equality or exchange, and may execute all such transfer as may be requisite for effectuating such sale or exchange; or, by the like direction may mortgage the said property or any part thereof. Provided, always that all money arising from such sale, or received by any Trustee or Trustees for equality or exchange, as aforesaid, after payment of the costs and expenses, payable by such Trustee or Trustees in relation to such sale or exchange shall be expended in the absolute purchase of other freehold or quitrent lands, tenements, or hereditaments; or, failing such purchase, then under the special leave and sanction of the said General Synod, or of the Synod, Board, Committee, or other Body acting on its behalf, such Trustees or Trustee may invest and put out at interest, on good and sufficient security, any money arising as aforesaid.

(3) All property which shall be so purchased, or received in exchange, as aforesaid, and all such investments as are provided for in the foregoing clause, shall be held by the Trustees or Trustee, in whom it shall become vested, upon such trusts as the property so to be sold or given in exchange was held subject to: provided nevertheless, that subject to any provisions of the trust to the contrary, the General Synod, or the Synod, Board, committee, or other Body acting in its behalf may, in respect to the peculiar circumstances of any case, allocate any of the moneys mentioned in the two foregoing clauses, to purposes in the same Diocese other than those provided in the said clauses, such purposes being always, as far as practicable, of the same nature as those which were contemplated in the original Trust.

(4) The receipt, in writing, of any Trustees or Trustee shall be a good and effectual discharge for all money paid to them, or him under or by virtue of these presents and shall exonerate

the person or persons paying such money from all obligation of seeing to the application thereof, and from all liability on account of the loss, mis-application, or non-application thereof: and it shall be incumbent on any purchaser or other person, to or with whom such sale, exchange, or lease as aforesaid shall be made, to inquire as to the necessity for, or propriety of such sale, exchange, or lease.

**PROPOSAL
FOR
AMENDMENT**

- o (5) Every Trustee shall be chargeable for such money as he shall actually have received, although he shall have joined in any receipt for money received by any Co-Trustee. He shall not be liable for any loss which may arise by reason of any Trust money being deposited in the hands of any Banker or Agent, or from the insufficiency or deficiency of any security upon which the Trust money, or any part thereof, may be invested, nor for any loss in the execution of the Trust, unless the same shall happen through his own wilful neglect or default.

**CHAPTER XV
AMENDMENT**

**AMENDMENT
OF
CONSTITUTION**

71. No formal notice for the amendment, alteration or repeal of, or addition to the Constitution shall be received unless it proceeds out of a resolution of the Episcopal Synod or the General Synod or the Standing Committee of the General Synod or a Diocesan Synod:

Provided that where the amendment, alteration, repeal or addition relates to a matter of faith and doctrine, notice thereof shall emanate only from the Episcopal Synod.

**TWO-THIRDS
MAJORITY**

72. It shall not be lawful to alter, add to, amend or repeal any of the provisions of this Constitution except it shall have been resolved and approved at a meeting of the Standing committee of the General Synod that the alteration, addition, amendment or repeal be agreed to in the session of the General Synod next ensuing and except it shall, before the session of the General Synod, have received the approval of the Diocesan Synods of at least two-thirds of the Dioceses of the Church of Nigeria. Provided that where the approval of the Diocesan Synods of at least two-thirds of the Dioceses of the Church of Nigeria is not obtained, the proposed amendment may be placed before the General Synod, and if the same shall be passed by at least two-thirds of the members of the General Synod the proposed amendment shall be deemed to be validly passed.

**NOTICE OF
PROPOSAL
TO AMEND
CANONS**

73. A proposal for the amendment of the constitution shall not be deemed to be passed unless it receives the affirmative vote of a two-thirds ($\frac{2}{3}$) majority of each House voting at a session of the General Synod.
74. (1) Canons I to XX of the Church of Nigeria shall be

known as "Canons of the Constitution" and shall not be liable to alteration, amendment or repeal and no new Canon shall be added at any future General Synod unless formal notice of such proposed alteration, amendment, repeal or addition shall have been notified to the Primate at least six months before the date fixed for the opening of the Synod.

- (2) Such a notice shall consist of two parts namely:
 - (a) a statement of the reasons why such amendment is desirable; and
 - (b) the precise amendment proposed and such notice shall be communicated by the Primate not less than four months before the meeting of the General Synod to all the Diocesan Bishops of the Church of Nigeria for the information of the delegates to represent the Dioceses at the General Synod provided that the Standing Committee may submit a proposal for the amendment of a Canon at any time for the consideration of the General Synod.
- (3) A Canon may be amended or added to by a two-thirds majority of each House voting at a session of the General Synod.

DEFINITION OF TERMS

ARCHBISHOP, METROPOLITAN AND PRIMATE

BISHOP

CANON

CHANCELLOR OF THE CHURCH

CHURCH OF NIGERIA

CLERGY

CONSTITUTION OF THE CHURCH OF NIGERIA

DIOCESAN SYNOD

**CHAPTER XVI
DEFINITIONS**

- 75. For the purpose of construing this Constitution, the following words and expressions shall have the meanings hereby assigned to them respectively (unless there be something in the subject or context repugnant thereto) -
 - (1) "The Archbishop and Primate" or "the Archbishop, Metropolitan and Primate" means the Bishop elected to the office of Primate in accordance with the provisions of this Constitution;
 - (2) "Bishop" is and shall mean a Diocesan Bishop of the Church of Nigeria.
 - (3) "Canon" means a law or regulation passed by the General Synod for giving effect to or pursuant to any powers conferred by this Constitution and designated as such.
 - (4) "Chancellor of the Church of Nigeria" is and shall mean the Chancellor of the Diocese over which the Primate is Diocesan.
 - (5) "Church of Nigeria" is and shall mean the Churches associated under the provisions of this Constitution and known in full as Church of Nigeria (Anglican Communion).
 - (6) "Clergy" is and shall mean all Priests and Deacons who, according to this Constitution of the Church of Nigeria, exercise spiritual functions under the authority and spiritual

EPISCOPAL SYNOD	jurisdiction of any Bishop of the Church of Nigeria. (7) "Constitution of the Church of Nigeria" is and shall mean this Constitution subject to such alterations or additions as may hereafter be made by the General Synod in accordance with the procedure herein provided.
GENERAL SYNOD	(8) "Convocation" shall mean non-geographic collection of Churches and Mission
HOUSE OF BISHOPS	(9) "Diocesan Synod" is and shall mean an assembly consisting of the Diocesan Bishops, Suffragan Bishops, the House of Clergy and the House of Laity of a Diocese constituted according to such Regulations as have been or shall be made in such Diocese and approved by the General Synod.
HOUSE OF CLERGY	(10) "Episcopal Synod" is and shall mean a general meeting of the Bishops of the Church of Nigeria summoned independently of the General Synod to discuss episcopal matters.
HOUSE OF LAITY	(11) "General Synod" is and shall mean an assembly of the Houses of Bishops, Clergy and Laity of the Church of Nigeria, constituted, convened and held in accordance with the provisions of the Constitution of this Province.
PRIMATE	(12) "House of Bishops" is and shall mean the Bishops of the Church of Nigeria assembled as a body or group within the General Synod in accordance with the provisions of the Constitution of the Church of Nigeria.
REGULATIONS OF THE SYNOD	(13) "House of Clergy" is and shall mean all ordained priests of the Church of Nigeria who are members of the General Synod, assembled as a body in accordance with the provisions of this Constitution.
STANDING COMMITTEE	(14) "House of Laity" is and shall mean all members of the Laity of this Church who are members of the General Synod, assembled as a body in accordance with the provisions of this Constitution.
SAVING	(15) "Primate" means the Bishop elected to be the Principal Minister of the Church of Nigeria and who may also be designated as the Archbishop, Metropolitan and Primate of the Church of Nigeria.
DATE OF COMMENCE- MENT	(16) "Regulation" means any measure, regulation or law made by or under the authority of the General Synod or by any House, Committee or Body of or appointed by the General Synod or any body set up by or under its authority.
DISPUTES	

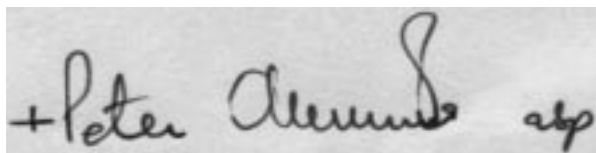
(17) "Standing Committee" is and shall mean those special members of the Houses of Bishops, Clergy and Laity of the General Synod who have authority under the Constitution to act and function as the Executive Committee of the General Synod.

76. Wheresoever this Constitution and the Canons of the Constitution are silent, the provisions of the Constitution of the Church of Nigeria (1979) shall be binding until the General Synod otherwise provides.
77. The provisions of this Constitution and the Canons of the Constitution shall be binding and take effect from the 6th day of September, 2002.
78. Except as otherwise provided in this Constitution or any Canon or Regulation made by the General Synod, all disputes arising within the Church of Nigeria (Anglican Communion) shall be determined by the Standing Committee of the Church, whose decision shall be final and binding unless it is reversed or varied by the General Synod.
79. Except as otherwise provided by the Constitution or any Canon or Regulation made by the General Synod, all disputes arising from elections to any vacant posts within the Church shall be determined by the Standing Committee of the Church and its decision shall be final and binding.

**SCHEDULE REFERRED TO IN SECTION 23
(PARAGRAPH XIV)**

<i>PROVINCE</i>	<i>DIOCESES WITHIN THE PROVINCE</i>
Lagos	Lagos, Egba, Ijebu, Remo, Yewa, 'On the Coast' and Lagos West.
Niger	Niger, Enugu, Awka, Nsukka, Nnewi, Abakiliki and Oji River.
Niger Delta	Niger Delta, Aba, Calabar, Uyo, Umuahia, Ukwa, Niger Delta North and Niger Delta West.
Ibadan	Ibadan, Kwara, Ilesha, Osun, Ife, Oke-Osun, Ibadan North, Ibadan South, Offa and Igbomina.
Ondo	Ondo, Ekiti, Akoko, Owo, Akure, Kabba and Ekiti West.
Kaduna	Kaduna, Kano, Katsina, Sokoto, Kebbi, Dutse, Wusasa and Gusau.
Owerri	Owerri, Orlu, Mbaise, Okigwe North, Okigwe South, Egbu and Ideato.
Bendel	Benin, Asaba, Warri, Sabongidda-Ora, Ughelli, Oleh, Esan and Ika.
Jos	Jos, Yola, Maiduguri, Bauchi, Damaturu, Jalingo, Oturkpo and Gombe.
Abuja	Abuja, Minna, Kafanchan, Makurdi, Lokoja, Gwagwalada Lafia and Bida.

Authenticated by the Archbishop, Metropolitan & Primate this 6th day of September, 2002.



+Peter Akinola ep

**Archbishop, Metropolitan & Primate
Church of Nigeria (Anglican Communion).**