

A CANON TO PROVIDE FOR THE CONSTITUTION OF THE BROTHERHOOD OF SAINT BARNABAS

(Assented to and passed 11th June, 1960. Amended 1973)

Preamble

WHEREAS an Association of Clergymen and Laymen, known as The Brotherhood of St. Barnabas (hereinafter referred to as "The Brotherhood") was formed in the year 1902 with the consent and approval of the Bishop of the Diocese for the purpose of supplying Ministrations of the Church in such areas of the Diocese which from time to time might be placed under its care

AND WHEREAS in the year 1945 the Association was constituted under authority of the Synod of the Diocese and provision made for the management of the Brotherhood and the mode of exercising its ministry as set forth in The Brotherhood of St. Barnabas Canon 1945

AND WHEREAS in the year 1959 the said Canon was repealed by Synod and at the time of such repeal it was forecast that a further Canon would be presented to Synod for its consideration.

BE it therefore declared and established by the Bishop, Clergy and Laity of the Diocese of North Queensland in Synod assembled as follows:

1. **Name:** The Brotherhood shall be known as the Brotherhood of Saint Barnabas.
2. **Purpose**
 - (a) The Pastoral care of certain country areas of the Diocese of North Queensland.
 - (b) The provision of educational facilities for boys, particularly those living in the areas worked by the Brotherhood.
3. **Area**

The area in which the Brotherhood operates shall be such as may be allocated to it from time to time by the Bishop-in-Council. The Bishop-in-Council may invite the Brotherhood to include within its boundaries portions of Diocesan territory additional to the area now assigned or may withdraw portions in order to constitute them as parishes; provided that the Bishop-in-Council shall not make additions to or subtractions from the area until full opportunity shall be given for receiving and considering objections made by the Brotherhood Chapter hereinafter described. The Brotherhood Chapter may from time to time make submission to the Bishop-in-Council for consideration as to the desirability of withdrawing from any part of the Brotherhood area.
4. **Membership**
 - (a) The Brotherhood shall consist of clergymen and laymen who agree to abide by the Rule and Regulations of the Brotherhood and are licensed thereto by the Bishop of the Diocese. They shall meet at least twice in every year in Chapter.
 - (b) The first year shall be regarded as a period of postulancy after which membership may be confirmed by a majority of the Brotherhood Chapter. Applicants who have previously been full members of Australian Brother-hoods may be excused by Chapter from the year of postulancy.
 - (c) All applicants for membership of the Brotherhood shall be prepared to serve for a period of five years unless accepted for a shorter period by the Chapter with the Bishop's approval.
 - (d) Membership may be terminated before the accepted time only by dispensation by the Bishop after consultation with the Chapter.
 - (e) **Priest Brothers** shall be licensed by the Bishop as "members of the Brotherhood of Saint Barnabas" and shall rank as clergy of the Diocese with due rights, duties and responsibilities similar to all other Diocesan clergy save as regards matters specifically regulated under the provisions of this Canon.

(f) **Lay Brothers** shall be licensed by the Bishop as “Members of the Brotherhood of Saint Barnabas” and shall be admitted on the same terms as priests except as is provided for in the Rule and Regulations of the Brotherhood.

(g) **Associates.** Any priest or layman not being a member of the Brotherhood may by resolution of Chapter and on receipt of the Bishop’s Licence for service within the Brotherhood area become an associate member of the Brotherhood.
Every priest or layman accepting such associate membership shall promise to receive the same stipend and other emoluments as are currently payable to members and undertake such work as the Chapter of the Brotherhood shall direct.

5. **Government.** Subject to this constitution the control and management of the Brotherhood shall be vested in the Bishop of the Diocese acting with the advice of his Diocesan Council.

6. **Warden (Amended 1973)**

- (a) There shall be a Warden who shall be responsible to the Bishop for the good order of the Brotherhood.
- (b) The Warden shall be elected annually by the Brotherhood Chapter except that when the Chapter wishes to appoint as Warden a person not already in the Brotherhood they may invite him to join the Brotherhood and hold the office of Warden for not less than three years.
- (c) If the Bishop approves the election, he shall license the person so nominated for the office. The Bishop may without cause assigned reject any such nomination. The Bishop shall inform the Chapter of his acceptance or rejection of nomination within one month of the receipt of such nomination. If at the expiry of six months after the occurrence of any vacancy no appointment shall have been made, the rights of appointment shall lapse to the Bishop.
- (d) The Bishop of the Diocese shall have the power to suspend or remove the Warden from his office by the withdrawal of his licence as Warden.

7. **Duties of Warden**

- (a) To Summon meetings of the Chapter at least twice yearly and at such other times as requested by a majority of the Brothers.
- (b) To preside at all meetings of the Chapter.
- (c) To be the executive officer of the Chapter with discretionary powers.
- (d) To decide upon postings of Brothers should the occasion arise between Chapter Meetings. The Warden’s postings are subject to confirmation by Chapter and all postings are subject to confirmation by the Bishop.
- (e) To seek applicants for admission to the Brotherhood.
- (f) To visit Brotherhood centres giving support to the work of the Brothers in their respective districts.
- (g) To present to the Synod of the Diocese a report on the work and a statement of the Central Funds of the Brotherhood.
- (h) To act as the means of communication between the Bishop and the Brotherhood.
- (i) If any questions shall arise as to the rights and powers of the Warden or of members of the Brotherhood “*inter se*” such questions shall be referred to the Bishop and be determined by him.

8. **Sub-Warden and Chapter Clerk.** The Chapter shall elect annually one of the Brothers to act as Sub-Warden. The approval of the Bishop of his election is necessary and the Bishop may suspend or remove him from office. In the absence of a Warden, the Sub-Warden shall act in his place. A Chapter Clerk also shall be elected annually.

9. **Chapter.**

- (a) The Chapter shall consist of all members of the Brotherhood.
- (b) Associate members and postulants shall have a place and a voice but no vote.
- (c) The Chapter shall be entitled to vary its rule and to make such regulations not inconsistent with the constitution, laws or Canons of the Diocese for the conduct and management of the Brotherhood as it shall think fit and such regulations and variations of rule shall be subject to disallowance by the Bishop within one month of notification.

10. **Duties of Chapter.** The Chapter shall:

- (a) Elect a Warden and Sub-Warden annually except as provided by clauses 6 and 8 hereof.

- (b) Confirm or deny the admission of members.
 - (c) Decide by resolution upon the suspension of members of the Brotherhood subject to the Bishop's approval.
 - (d) Meet twice yearly and at such other times as convened by the Warden.
 - (e) Decide upon the division of pastoral duties amongst the Brothers subject to the approval of and any direction from the Bishop.
 - (f) Appoint commissaries to examine and accept (subject to the Bishop's approval) candidates for the Brotherhood.
11. **Emoluments.** Each member of the Brotherhood shall receive as remuneration such sum as the Chapter may from time to time with the consent of the Bishop-in-Council fix by resolution and all his living travelling and medical expenses provided that every Member of the Brotherhood leaving the Brotherhood shall receive an allowance as provided in the Regulations.
12. **Parishes Regulation Canon to Apply.** The territories assigned to the Brotherhood shall be organised and administered as is set forth in The Parishes Regulation Canon of 1896-1956 save as regards to the provisions of that Canon regarding the method of presentation, licensing of clerks, payments of stipends and other matters specifically regulated under the provisions of this Canon or of the Brotherhood Rule and Regulations.
13. **13. Brotherhood House.** The Brotherhood may acquire property which shall be known as "Brotherhood House" within the Diocese for purposes of devotion, rest, reunion and refreshment on the part of the Brothers to be held in trust by the Synod of the Diocese for that purpose and to be managed by the Chapter. Notwithstanding its location within the declared boundaries of any parish or parochial district it is hereby declared to be extra-parochial and is placed under the immediate jurisdiction of the Bishop of the Diocese. The Bishop may sanction the setting apart of a chapel in such house or grounds, and the celebration and performance therein of the Sacraments, Offices of the Church, and other services by, and on behalf of the Brothers and any guest in residence, but not otherwise, without the consent of the parish priest being first had and obtained.
14. **Funds and Property**
- (a) Nothing herein contained shall be deemed or be construed to alter any trust in existence in relation to any property.
 - (b) (i) Subject as aforesaid the property of the Brotherhood shall be vested in the Corporation of the Diocesan Synod of North Queensland and shall be held by such Corporation for the benefit of the Brotherhood.
 - (ii) If by reason of any alteration of diocesan boundaries or the establishment of any new diocese the area controlled by the Brotherhood shall be within any other diocese, all necessary changes may be made, to vest the property in some other body or trustees for the benefit of the Brotherhood.
 - (c) (i) The Brotherhood shall keep proper accounts of all monies coming into its custody or control, shall cause these accounts to be audited by competent persons other than its own members, and shall present annually to Synod its accounts as audited.
 - (ii) Subject to the approval of the Bishop and the provisions of the Canons of the Diocese the Brotherhood shall have power to make such reasonable arrangement for the local collection and holding of funds and the keeping of accounts as may be determined.
15. **Short Title.** The Short Title of this Canon is "The Brotherhood of Saint Barnabas Canon 1960-1973".