

**THE  
UKRAINIAN ORTHODOX  
CHURCH OF CANADA**

**CHARTER**



*„Ecclesia”* Publishing Corporation  
Winnipeg, Manitoba



Faith and dogma	<p><b>1.</b> The Ukrainian Orthodox Church of Canada hereby declares that its faith and dogma are the same as that of the various already existing Greek-Orthodox Churches, and it adheres to the faith and dogma adopted by the First Seven Ecumenical Councils of the Christian Church.</p>
Incorporation	<p><b>2.</b> All the congregations, parishes, missions, of The Ukrainian Orthodox Church of Canada, which are now included and are a part thereof, and which may at any time in the future become a part thereof, are hereby constituted a corporation, public and politic under the name of "The Ukrainian Orthodox Church of Canada", hereinafter called "the Corporation", for the purposes of administering the property and other temporal affairs connected with the spiritual jurisdiction of the said Corporation.</p>
Corporate name	<p>"the Corporation", for the purposes of administering the property and other temporal affairs connected with the spiritual jurisdiction of the said Corporation.</p>
Head office	<p><b>3.</b> (1) The head office of the Corporation shall be in the City of Winnipeg, in the Province of Manitoba, or at such other place in the Dominion of Canada as may be decided by the said Corporation under the powers hereinafter conferred.</p>
Notice of change	<p>(2) Notice in writing shall be given by the Corporation of any change of the head office to the Secretary of State, and a copy of such notice shall be published in the <i>Canada Gazette</i>.</p>
Objects	<p><b>4.</b> The objects of the Corporation shall be the maintenance and carrying on of charities or missions, erection, maintenance and conduct of churches, cemeteries,</p>

schools, colleges or orphanages and hospitals in any of the provinces of Canada, the advancement in other ways of education, religion, charity and benevolence, and to administer in Canada such of the property, business and other temporal affairs of the said Ukrainian Orthodox Church of Canada as may be entrusted by the said Ukrainian Orthodox Church of Canada to the Corporation.

Definitions:  
"a member"

**5. In this Act,**

(a) the expression "member" means any person who, from time to time in accordance with the by-laws of the Corporation, is a member of the Corporation;

Other  
expressions

(b) the expression "congregation", "mission" and "parish" have the meanings assigned to them under the by-laws of the Corporation.

Affiliation

**6. (1)** Any congregation or mission of The Ukrainian Orthodox Church of Canada, whether now in existence or which may be formed at any time in the future, shall signify its intention to become a part of the Corporation by a resolution passed at a duly called meeting thereof, according to the constitution thereof.

(2) The copy of such resolution shall be certified by the chairman and the secretary of the said meeting, and shall be sent to the Consistory of the Corporation, and the Consistory may then issue a certificate admitting such congregation or mission to the Corporation.

- General Council      **7.** (1) A General Council of the Corporation shall be convened and held at such intervals as are prescribed by the by-laws of the Corporation but no less frequently than once every five years.
- Eligibility              (2) All persons who, in accordance with the by-laws of the Corporation, are elected or appointed to attend a general Council of the Corporation as a delegate, and such deacons, priests and bishops of the church as the by-laws of the Corporation prescribe, may attend the General council and vote thereat or otherwise take part in its proceedings.
- Consistory              **8.** (1) subject to the by-laws of the Corporation and to such resolutions and directives as are made from time to time by the General council of the Corporation, the affairs of the Corporation shall be managed by a board of not less than eighteen members, to be known as the Consistory.
- Members of Consistory      (2) The members of the Consistory shall be elected or appointed in such manner and number and at such times as the by-laws of the Corporation prescribe.
- Delegation to committees      (3) Subject to the by-laws of the Corporation, the Consistory may delegate any of its duties or functions to an executive committee or other committees of the Consistory.
- Power to make by-laws      **9.** The Corporation may from time to time at its General Council, make by-laws not contrary to law for:
- (a) The appointment, subject as herein provided of a Board of the Consistory, for the administration, management, and control of property, business and other temporal affairs of the Corporation;

- (b) The appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation;
- (c) The appointment or deposition of the Consistory, bishops, administrators, special committees or boards from time to time for the purposes of the Corporation;
- (d) The calling of General Council meetings, regular or special, of the Corporation or of the committee;
- (e) Fixing the necessary quorum and procedure in all things at such meetings;
- (f) Generally for the carrying out of the objects and purposes of the Corporation.

Power to acquire and hold property

**10.** (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest whatsoever given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for, or in favour of the uses and purposes of the Corporation or to, for, or in favour of any religious, educational, eleemosynary or other institution established or intended to be established by, under the management of, or in connection with, the uses or purposes of the Corporation.

Holding of real property by way of security

(2) The Corporation may also hold such real property or estate therein as is *bona fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.

Investment in and disposal of real property

**11.** Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not, and may also from time to time, invest all or any of its funds or moneys and all or any funds or moneys vested in or acquired by it for the use and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property in any part of Canada; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any corporation body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either wholly or partly.

Application of mortmain laws

**12.** In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise, the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, insofar as such laws apply to the Corporation.

Authority for transfer of property held in trust

**13.** In so far as authorization by the Parliament of Canada is necessary, any person or corporation in whose name any property, real or personal, is held in trust or otherwise, for the use and purposes aforesaid, or any such person or

corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property, or any part thereof, to the Corporation.

Execution of  
deeds

**14.** Any deed or other instrument relating to real estate vested in the Corporation or to any interest in such real estate shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there are affixed thereto the seal of the Corporation and the signature of any officer of the Corporation duly authorized for such purpose, or his lawful attorney.

Gifts, loans, etc.

**15.** The Corporation may make a gift of or loan any of its property, whether real or personal, for, or to assist in, the erection or maintenance of any building or buildings deemed necessary for any church, college, manse, school or hospital, or for any other religious, charitable, educational, congregational or social purpose upon such terms and upon such conditions as it may deem expedient.

Borrowing  
powers

**16.** The Corporation may, from time to time, for the purposes of the Corporation:

- (a) borrow money upon the credit of the Corporation;
- (b) limit or increase the amount to be borrowed;
- (c) make, draw, accept, endorse or become party to promissory notes, and bills of exchange; every such note or bill mad drawn, accepted or endorsed by the

party thereto authorized by the by-laws of the Corporation and countersigned by the proper party thereto authorized by the said by-laws, shall be binding upon the Corporation, and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown; and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;

(d) mortgage, hypothecate or pledge any property of the Corporation, real or personal, to secure the repayment of any money borrowed for the purposes of the Corporation.

Limitation

(2) Nothing in this section shall be construed to authorize the Corporation to issue any note or bill payable to the bearer thereof, or any promissory note intended to be circulated as money, or as the note or bill of a bank, or to engage in the business of banking or insurance.

Investment of funds

**17.** The Corporation may also invest and reinvest any of its funds and money:

(a) in any bonds or debentures of any municipality or public school corporation or district in the Dominion of Canada, in bonds, stock and debentures or other securities of the Dominion of Canada or of any province thereof, or in any security the payment of which is guaranteed by the Dominion of Canada or any province thereof; or

(b) in first mortgages or freehold property in Canada and for the purposes of the same may take mortgages

or assignments thereof, whether such mortgages or assignments be made directly to the Corporation in its own corporate name or to some company or person in trust for it, and may sell and assign the same.

Exercise of  
powers when  
bishop  
incapable to act

**18.** In the event of the death, deposition, resignation, absence, illness, infirmity, or other incapacity of the head bishop of this Corporation, the duly elected administrator, at the last General Council, or such other person appointed by such General Council, shall for the time being and until another General Council will be called, perform the duties conferred upon such bishop by this Corporation insofar as the Canons of the church give him the power, until a new head bishop is elected and ordained, or during his absence, illness, infirmity or incapacity.

---

\* See: *Act of Incorporation*, 1929 RSC c.98 and *Act of Amendment*, 1990 RSC c.51

