

CODE OF CANONS

of the

Apostolic Orthodox Church

Canon 1. Name of the Church

The name of the Church shall be **APOSTOLIC ORTHODOX CHURCH** in English-speaking countries and shall be translated appropriately in other places. Use of the name is reserved to those authorized by the Synod and/or the Patriarch.

Canon 2. Membership

The members of the Church shall be those whom any person thereunto authorized shall have Baptized, Chrismated or Admitted to its membership and who have not resigned therefrom.

Canon 3. Doctrine

The Doctrines of the Church are set forth in *The Precepts of Religion*, and shall form the theological foundation of the Church and which are the basis of *A Summary of Doctrine* and *A Statement of Principles*. Together, they shall be known as ***The Theological Documents***, and shall have the same force as the *Constitution* and the Code of Canons in establishing the spiritual and religious orientation of the Church and defining its tenets. Members of the clergy, while being accorded the same freedom of personal interpretation of the *Documents* as are the laity, shall nevertheless be bound to accept them as the official basis of teaching and ritual.

Canon 4. Seniority

For the purposes of Canon Law (as distinguished from precedence) seniority shall be determined firstly by rank and secondly, within the same rank, according to priority of consecration or ordination. The ranks are:

1. The Patriarch
2. Catholicos
3. Bishops Ordinary of Congregations and Communities
4. Bishops Emeriti
5. Chorepiscopoi
6. Priests
7. Deacons
8. Subdeacons
9. Readers

Canon 5. The Patriarch

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The rights, powers, and authority of the Patriarch shall be as delineated in Article VIII, Sections 1 and 2 of the *Constitution*. In all matters ecclesiastical and spiritual, after consultation with the Synod, his decision is absolute. His tenure is for life and he may be removed from office only as authorized by Article VIII, Section 4 of the *Constitution*. He shall bear the Title of "His Holiness."

Canon 6. The Catholicos

The Patriarch may appoint a Bishop to the Office of Catholicos who shall have powers and authority as may be time to time delegated to him by the Patriarch, as authorized in Article VIII, Section 6 of the *Constitution*. He shall bear the Titles of "The Most Reverend Father" and "His Beatitude." When visiting a Congregation or Community in his official capacity at the behest of the Patriarch, he shall take precedence over the Ordinary.

Canon 7. Bishops Ordinary

The rights and powers of Bishops Ordinary shall be as granted by Article IX, Section 3 of the *Constitution*. The Patriarch shall appoint Bishops Ordinary after consultation with the Congregation or Community they will serve. They shall have served as a Priest in good standing for a minimum of five years. Their tenure is for life, and may be deposed only as stipulated in Article IX, Section 6. They shall bear the Titles of "The Most Reverend Father" and "His Grace."

Canon 8. Bishops Emeriti

Bishops Emeriti are those Bishops Ordinary in good standing who have ceased to function as such by virtue of resignation, and may be listed as either Active or Inactive. They have no innate ecclesiastical authority, but are accorded all reverence and honor due an Ordinary. They shall bear the Titles of "The Most Reverend Father" and "His Grace."

Canon 9. Chorepiscopoi

Chorepiscopoi possess power and authority as granted in Article IX, Section 5 of the *Constitution* and as may be delegated by their Ordinaries. They shall be authorized to use a blessing cross and to bear the Title of "The Very Reverend Father," and shall take precedence over all clergy, save the Ordinary, in their Congregations or Communities.

Canon 10. Priests

Priests shall be appointed and ordained by the Ordinary from those in the Diaconate of the Congregation or Community they will serve. They shall have served in the Diaconate in good standing for a period of not less than one year. They are authorized to celebrate and administer the Greater and Lesser Mysteries of the Church, excepting those reserved for the episcopate. They shall bear the Title of "The Reverend Father."

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Canon 11. Deacons

Any man, having served in the Subdiaconate in good standing for a period of at least one year may be selected by the Ordinary of the Congregation or Community he serves for elevation to the Order of Deacon. The Diaconate may either be permanent or a transitory step to the Priesthood. Deacons may assist at any of the Mysteries, may distribute Holy Communion, and, in the absence of a Priest or Bishop, perform the Mystery of Holy Anointing and the Mystery of Baptism with the full rite; they may not, under any circumstances, Chrismate. Deacons may wear clericals and bear the Title of "The Reverend Deacon."

Canon 12. Subdeacons

Elevation to the Order of Subdeacon is solely at the discretion of the Ordinary and any man, having served as a Reader in good standing for at least one year, may petition the Ordinary to be elevated to this Order. Subdeacons may assist at the Mystical Worship as well as the other Mysteries, may read from the Epistles, but they may not serve as Officiant. They do not wear clericals at times other than when they are functioning liturgically; neither do they bear any Titles.

Canon 13. Readers

Any layman may petition his Ordinary to enter the Order of Reader. As their name implies, they may read from the Old Testament, lead responses and prayers at Liturgy and other services, and, in the absence of a Subdeacon at Liturgy, may assume the Subdeacon's duties except reading the Epistle. Readers wear no special attire, although during the Liturgy and other services, they wear a cassock; they have no ecclesiastical Title.

Canon 14. Ages of Candidates

The minimum age of candidates for ordination shall be as follows: Reader, 18; Subdeacon, 21; Deacon, 24; Priest, 25; Bishop, 33. These ages, except that of Bishop, may be modified slightly by the Ordinary, taking into account the spiritual and social maturity of the candidate. In addition, all candidates must have served the requisite number of years in preceding Orders, as noted in the *Canons* appropriate to the Order, above, before progressing to the next Order. Following the injunction of St. Paul, "Impose not hands lightly upon any man," (1Tim 5:22), the Church stresses that it is the maturity and suitability of the candidate for the Order to which he aspires which is of the utmost importance, and it should not be construed that, by virtue of previous service and/or arrival at the prescribed age for ordination to a specific Order, one is, *ipso facto*, entitled to receive that Order.

Canon 15. Qualifications for the Episcopate

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A candidate for Bishop shall be a validly ordained Priest, educated in the teachings of the Church and in agreement with the *Precepts of Religion, Constitution and Code of Canons*. He is elected by the House of Bishops, based upon recommendations from the clergy and members of the Church, especially those of the Congregation or Community he is to serve. He shall: be of undisputed character; have demonstrated abilities of leadership; have the ability to teach and to judge wisely, and; have the confidence and respect of the Congregation or Community over which he shall serve as Ordinary. The Patriarch alone has the right of consecration, but may delegate this right to another and shall appoint the co-consecrators. Under normal circumstances, there must be three consecrators for the consecration to be considered canonical; in special cases, accommodation may have to be made as may be approved by the House of Bishops and/or the Patriarch.

Canon 16. Qualifications of Clergy

All clergy of the Church shall have had the proper ordination and documentation to all Holy Orders preceding the Order to which they are to be ordained. Candidates to the Priesthood shall have appropriate education in areas of doctrine, church history, liturgics, mystagogical theology and all other studies necessary to the Priest as teacher, counselor, representative of the Church and celebrant of the Mysteries. A program of study and apprenticeship shall be established in the Congregation or Community, under the supervision of the Ordinary. In those Congregations and Communities where the Patriarch is the *ex officio* Ordinary, a systematic program of correspondence study shall be given the candidate. Before his ordination, the candidate must demonstrate to the satisfaction of the Ordinary his ability to adequately perform the Rites and Rituals of the Church as well as his knowledge of the doctrine of the Church.

Canon 17. Incardination of Clergy

Clergy incardinating from other Churches must meet the same qualifications as the resident clergy of the Apostolic Orthodox Church. Before being accepted and assigned, they must be thoroughly conversant with the *Documents* of the Church, as well as its Rites and Rituals. They shall be re-ordained sub conditione, preceded by Baptism and Chrismation. Exemptions to this rule are made for clergy who can prove that they have been previously validly baptized, Chrismated and ordained in a Church possessing Apostolic Succession. All incardinating clergy must agree to either serve an existing Congregation or Community or begin the formation of one immediately. Incardinating Priests and Bishops must be approved by a majority vote of the House of Delegates and the House of Bishops respectively. Should members of the incardinating clergy's former Congregation or Church wish to enter the Apostolic Orthodox Church as a Congregation or Community, such must meet with the approval of the Synod and the Patriarch.

Canon 18. Canonical Obedience

A loving, respectful relationship among clergy being the only credible way of assuring the Church's cohesion, and assuming that obedience to the wishes of an Ordinary will be

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voluntary because of respect for his office, out of love of the Church, and not from coercion, clergy shall take no canonical vows of obedience to the person of the Ordinary, but shall make a statement promising adherence to the *Precepts of Religion*, the *Constitution* and the *Code of Canons* of the Church.

Canon 19. Active List

A Bishop who has been regularly assigned to a Congregation or a Community, a Priest or Deacon who is currently licensed to conduct public services, and a retired Bishop, Priest or Deacon who has not been placed on the Inactive List shall be regarded for purposes of Canon Law as being on the Active List.

Canon 20. Inactive List, Transfer To

Any member of the clergy may be transferred voluntarily or with his consent to the Inactive List, without prejudice to his future reinstatement. The House of Bishops shall have the authority to transfer Bishops to the Inactive List for manifest and prolonged inactivity or other reasons, subject to the right of appeal to the Patriarch. An Ordinary may transfer any member of his clergy to the Inactive List and may decline to renew his license, for manifest and prolonged inactivity or other reasons, subject to the right of appeal to the Patriarch.

Canon 21. Good Standing

A member of the clergy, whether on the Active or Inactive List, shall be considered to be in good standing for the purposes of Canon Law when he shall not be under suspension from office or under inhibition from the exercise of clerical functions. Any member of the clergy who has been notified that his conduct is under investigation shall not be entitled to vote in any matter concerning any action in his own case arising from such investigation or to serve during such investigation on any body concerned therewith.

Canon 22. Marital Status of Clergy

Clergy, including Bishops, may be married or celibate as each desires. Marriage may take place before or after entry into Holy Orders. The Church expects moral integrity from both married and celibate clergy and marital fidelity from its married clergy

Canon 23. Removal of Clergy

It is the right of an Ordinary to temporarily or permanently suspend or remove any clergy under his jurisdiction whose conduct has proven to be scandalous to the Congregation or Community, who has been found guilty of criminal action or malfeasance, or any other conflict sufficient to hamper proper function and good order. Should, for the above reasons, the clergy seek suspension or removal of their Ordinary, the Patriarch shall be informed thereof and shall appoint a Curia to investigate the matter; after discussion with all parties, the Curia shall issue a decision. During said investigation, the Patriarch shall

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appoint another Bishop as temporary Ordinary. Both the Ordinary and the clergy have the right of appeal to the Synod, then to the Patriarch, whose judgment is absolute.

Canon 24. Membership in Congregations and Communities

Baptism, Chrismation and Admission to a Congregation or Community will qualify for membership. Such local membership will be in accordance with the terms specified by the local rules and may be terminated.

Canon 25. Definition of Active Members

The designation of Active Member shall be determined either according to Congregation or Community rules, or otherwise by membership in said Congregation or Community and regular attendance at services and functions during the preceding three months.

Canon 26. Removal of Members

A Congregation shall have the right to remove a member whose conduct has proven to be scandalous to the Congregation or Community, who has been found guilty of criminal action or malfeasance, or any other conflict sufficient to hamper proper function and good order. This decision shall be made by Congregation or Community members according to their own regulations or otherwise by a two-third's vote of active members, which designation shall be determined by *Canon 25*, with the right of appeal to the Ordinary, whose judgment shall be absolute.

Canon 27. Participation in Other Organizations and Secular Activities

Members of the Church shall be free to participate in or be members of other spiritual or mystical activities or organizations that may increase their spiritual awareness and knowledge. Members shall be free to be active in political or social movements that are for the betterment of human and/or animal life.

Canon 28. Correspondence

All Ordinaries, lesser clergy heading Congregations and Communities and likewise all laity leading such, shall make regular quarterly reports to the Secretary-Treasurer of the Church as to the status and condition of their Congregation or Community. Said reports shall include membership statistics, the average number in attendance at Services, special programs or activities such as community service, etc., and a general financial statement for the preceding quarter. Forms will be made available to facilitate the reports, which will be forwarded by the Secretary-Treasurer to the Patriarch for his inspection.

Canon 29. Changing Congregations or Communities

Members of a Congregation or Community shall be free to transfer from one to another providing they fulfill the membership requirements of the Congregation or Community to

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which they wish to transfer. No Congregation or Community shall be obliged to accept an individual for membership solely on the basis of membership in the Church or previous membership in a Congregation or Community.

Canon 30. Ownership of Property

Each Congregation or Community may own real property provided that it is legally incorporated in its State of residence and that the property is owned in the name of the corporation and not by any private party or other organization of any type.

Canon 31. Sanctuaries

The term *Sanctuary* shall be used to designate the physical structure, or area within a physical structure, in which a Congregation or Community conducts its Worship and Rituals. Sanctuaries may be dedicated to a Christian Saint, the Holy Trinity, the Holy Spirit, Christ or Mary. Before a Sanctuary can be publicly dedicated, the Patriarch must be informed of the chosen name; he will issue a decree establishing the Sanctuary and naming its leader.

Canon 32. Consecration or Blessing of Sanctuaries

A Sanctuary that is owned by a Congregation or Community may be consecrated and dedicated, such ceremonies being performed by the Ordinary. A rented or leased Sanctuary may be blessed and dedicated, but not consecrated, said ceremonies being performed by the Ordinary or by a Priest. If the Sanctuary is also used for other purposes, such as a conference room rented from a secular or religious organization, it may not be consecrated, dedicated or blessed.

Canon 33. Use of Consecrated Sanctuaries

A duly consecrated and dedicated Sanctuary shall be primarily used for the celebration of the Greater and Lesser Mysteries of the Church or for private or group prayer and meditation. Other uses of a spiritual nature (e.g., an Investiture into a Religious or Chivalric Order) may be approved by the Patriarch. Before disposing of consecrated property, a service of deconsecration must be held.

Canon 34. Mystagogical Rites

The Church, in adherence to the earliest Oriental traditions, administers the Greater and Lesser Mysteries (Sacraments) in their most ancient forms. Because they are not merely symbolic actions but rather, as stated in the *Precepts of Religion*, "are effectual channels of God's grace which, when received with faith, are instrumental in progressively transmuting the human consciousness into one that is divine," the Church seeks to assure the validity of the Mysteries by requiring of the minister strict adherence to the words and rubrics of every rite. In addition, ministers of the Mysteries shall unfailingly assure that the basic elements of each Mystery are as set forth in the *Canons*, which follow. Only

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those mystagogical rites which have been approved by the Synod under the Seal of the Patriarch may be used in the Congregations and Communities of the Church unless written permission is granted by the Patriarch to, out of necessity, temporarily use the rites of another Church possessing Apostolic Succession.

Canon 35. The Greater Mysteries

In common with all Churches possessing Apostolic Succession, the Apostolic Orthodox Church holds the Greater Mysteries to be seven in number, namely: Baptism, Chrismation, the Holy Eucharist (called also the Mystical Worship and/or the Liturgy), Absolution, Holy Marriage, Holy Orders and Holy Anointing. The essential elements necessary for the validity of each Mystery are enumerated in *Canons* 36 through 42.

Canon 36. The Mystery of Baptism

The essential elements are the intention of the minister to administer Christian Baptism, ablution of the Catechumen with water while pronouncing an acceptable Trinitarian formula (e.g., "I baptize you in the name of the Father and of the Son and of the Holy Spirit"). In addition to the essential elements, the Church requires for canonical licity the administration of blessed salt, consecration of the baptismal water and anointing with the Oil of the Catechumens and the Oil of Thanksgiving. The ordinary minister of Baptism is a Bishop or a Priest, but a Deacon may baptize if one is not available. Baptism may be administered conditionally in cases of doubt. Any person may administer baptism using water and the Trinitarian formula in a life-threatening emergency.

Canon 37. The Mystery of Chrismation

The essential elements are the intention of the minister to administer Christian Chrismation through the specific aegis of the Holy Spirit, the imposition of hands, the speaking of words indicating the overshadowing of the Candidate by the Holy Spirit and anointing with Holy Muron. The ordinary minister is a Bishop, but the Patriarch may delegate this office to a Priest when no Bishop is to be available within a reasonable period of time. Chrismation may be administered conditionally in cases of doubt.

Canon 38. The Mystery of the Holy Eucharist

The essential elements of this Mystery are:

1. A twofold intention: firstly, that the Mystery is not merely symbolic in nature, but in reality sacrificial, truly the heavenly sacrifice "mirrored here on earth;" and secondly, at that point in the Mystical Worship known as the "Epiklesis," the celebrant's intent is that the bread and wine be transubstantiated into the very Body and Blood of Christ.
2. Prior to the anaphora, words indicating an offering of bread and wine to God; prior to the Epiklesis, a recounting of the Last Supper including the Words of Institution ("This is My Body," and "This is My Blood"); at the Epiklesis, words indicating that the bread and wine are being transubstantiated into the Body and Blood of Christ; after the Epiklesis, an

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offering of the Body and Blood, and; prior to distribution to the assisting ministers and congregation, the reception of the Body and Blood by the celebrant.

3. The use of leavened wheat bread and grape or raisin wine (the percentage of alcohol need not be great, but there should be definite fermentation).

The only authorized celebrants of the Holy Eucharist are Priests and Bishops.

Canon 39. The Mystery of Absolution

The essential elements are the intention of the minister that the penitent be absolved of his sins, the contrition of the penitent, and pronouncing a suitable formula of absolution by the minister. Absolution may only be administered by a Priest or Bishop. As the Church considers the "Seal of Confession" to be inviolable, ministers of this Mystery shall not, unless given permission to do so by the penitent, divulge to anyone, in whole or in part, the content, substance, context or subject matter of any information revealed during its administration.

Canon 40. The Mystery of Holy Matrimony

The essential elements are the intention of the man and woman that they be united as husband and wife; the espousal ceremony, in which wine and water are shared, rings are exchanged and they are wed; and the crowning ceremony, in which the union is blessed.

The actual ministers of the Mystery are the man and woman; the Officiant witnesses the marriage on behalf of the Church and blesses the union, which elevates it from a merely legal, to a mystagogical estate. The Officiant must be a Bishop or a Priest.

Canon 41. The Mystery of Holy Orders

The Church recognizes five traditional Orders, divided into the Minor and the Major. Minor Orders consist of Reader and Subdeacon; those Orders of Deacon, Priest and Bishop comprise the Major. All Orders are viewed as conferring authority of varying degree, yet only those Orders of Deacon, Priest and Bishop confer ecclesiastical power through the aegis of the Holy Spirit "to be irrevocably set apart for the service of Christ," and therefore should not be entered into lightly.

For the Orders of Reader and Subdeacon, the essential elements of this Mystery consist of a purposeful desire of the minister to admit candidate to a specific Order in the Church, use of an accepted formula for praying over the candidate, including the statement of intention to admit to the particular Order and office, and the imposition of hands. For the Orders of Deacon, Priest and Bishop, in addition to the foregoing is required an invocation of the Holy Spirit either through hymn or prayer, and with the imposition of hands, a statement by the minister that the candidate is receiving the Holy Spirit for the execution of the duties of the Order to which he is being ordained. In addition, for the Orders of Priest and Bishop, both hands are anointed with the Oil of the Catechumens (Priest) or with Holy Myron (Bishop). For a Bishop, anointing of the head with Holy Myron is also required.

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The only authorized minister of Holy Orders is a Bishop. In the absence of a Bishop Ordinary, the Patriarch may delegate the reception of a man into the Orders of Reader and Subdeacon to a Chorepiscopus. The right of consecration to the episcopate lies solely with the Patriarch.

Canon 42. The Mystery of Holy Anointing

There are two rites of anointing which comprise this Mystery: Last Anointing at the time of death and Anointing for Healing. The essential elements in the former are the intention of the minister to administer Absolution, to bring the comfort of the Church to the dying, and to ease the final transition of the soul from the physical body. Also the use of the accepted formula for the Mystery of Absolution, anointing with the Oil of the Sick, the imposition of hands and use of appropriate prayers, and if possible, the administration of Communion. The essential elements in the latter are the intention of the minister to properly administer the Mystery, prayers for the recovery of the infirm, anointing with the Oil of the Sick, and the imposition of hands. The ordinary ministers of Holy Anointing are Priests and Bishops; in their absence, a Deacon may be authorized by an Ordinary or the Patriarch to administer the Mystery, but may not administer Absolution during the Last Anointing.

Canon 43. The Lesser Mysteries

For the purpose of Canon Law, the Lesser Mysteries are defined as those Rites of the Church which, although not the seven traditional Greater Mysteries, require a Priest or a Bishop to administer. These may include, but are not limited to, blessings and consecrations of objects, people or places; rituals of exorcism or deliverance; rituals of admission to the Church or to a Congregation or a Community, and; various Services of praise and adoration. Only those Lesser Mysteries authorized by the Synod under the Seal of the Patriarch may be used.

Canon 44. Liturgical Rite

The Church authorizes the use of only an Oriental Rite for the celebration of the Mystical Worship, and only those Rites approved by the Synod under the Seal of the Patriarch may be used.

Canon 45. Altar, Antimension and the Holy Place

Only square (cubic) altars may be used. Altars are blessed, but not consecrated. Rather, antimensions consecrated by the Patriarch shall be used, each Priest and Bishop possessing his own. Tapers, oil lamps, and a Cross may adorn the altar. Altars shall be covered with at least one white linen cloth, extending the length and breadth of the mensa. Appropriate frontals are approved and may be seasonally changed or remain static throughout the year. Icons may adorn the walls of the Holy Place. In Sanctuaries that are consecrated, there shall be an opaque curtain and a sheer veil separating the Holy Place

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from the prothesis. It must be possible to clearly see the altar through the veil. The curtain and veil are approved for Sanctuaries that are blessed, where practical.

Canon 46. Vestments

Vestments shall be patterned after traditional designs, samples of which may be obtained from the Office of the Patriarch. Vestments may be purchased by individuals or, preferably, by the Congregation or Community, and remain the property of the purchaser. Vestments must be blessed prior to their first use.

Canon 47. Sacred Vessels

Sacred Vessels must be consecrated by the Ordinary before use. They need not be of precious metal, neither need they be gilt; brass is advised against because of potential toxic reactions. The Church has no objection to vessels of crystal (not glass) or of ceramic manufacture, as these were used in the ancient Church. They must not, however, be in questionable taste and must follow traditional designs. Any questions as to the appropriateness of a vessel should be directed to the Ordinary or to the Office of the Patriarch.

Canon 48. Episcopal Regalia

For the purpose of Canon Law, Episcopal Regalia refers to those items which are consecrated during the consecration ceremony, namely: crozier, pectoral cross, and blessing cross. Regalia shall be purchased, or received in donation, by the Congregation or Community, which shall retain ownership, for use by their Ordinary. It is highly desirable that this regalia be passed from an Ordinary to his successor.

Canon 49. Intercommunion

The Church may enter intercommunion with other Churches possessing Apostolic Succession and who shall be in agreement with the tenets expressed in *A Summary of Doctrine* and *A Statement of Principles*. Such unions shall be for the purpose of fostering cooperation and fellowship among independent Churches, and no way shall be construed as incardination of one body into another.

Canon 50. Marriage of Divorced Persons

The Church does not see any sufficient reason for refusing to marry divorced persons unless overriding moral implications make this outside of the purpose of true Christian marriage, or if the marriage would be held as illegal or illicit according to prevailing civil laws. Cases in question may be decided by each Ordinary.

Canon 51. Communion of Children

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As the Church considers it the right of every member to receive the Body and Blood of Christ, and obeying His command, "Suffer the little children to come unto Me, and forbid them not," (Mk 10:14) the Church allows reception of Communion from infancy. In doing so, the Church seriously cautions those who administer such to use great care that no desecration of the Sacred Species takes place.

Canon 52. The Curia

In questions of discipline, censure and/or suspension of a Bishop, the Patriarch shall appoint a Curia of at least three Bishops to hear charges against him. The Curia shall determine a verdict, then be dissolved. There is right of appeal to the House of Bishops and to the Patriarch.

Canon 53. Committees

Committees for any purpose may be appointed by the Patriarch or elected by the Synod, or either House thereof, or by the Corporation Board of Trustees as deemed appropriate. Committees shall consist of at least three persons.

Canon 54. Administration Fund

All Congregations and Communities shall contribute a minimum tithe of 10% of their net monthly income to the Administration Fund of the Church. This Fund supports the work of the Office of the Patriarch, which includes publishing, advertising and teaching. If compliance with this Canon should be to the serious financial deprivation of any Congregation or Community, such should be brought to the attention of the Patriarch, who may grant a partial dispensation.