

NORMAL PARISH BY-LAWS

for

ST. SERAPHIM, RUSSIAN ORTHODOX CHURCH  
OUTSIDE OF RUSSIA, BRISBANE, AUSTRALIA

240

By-Laws  
(Name and Aims)

1. The parish shall bear the name St. Seraphim Russian Orthodox Church Outside of Russia, Brisbane, Australia. It constitutes a part of the Diocese of the Russian Orthodox Church Outside of Russia and it shall be subject to the canonical rule of its Diocesan Bishop and the immediate supervision of the pastor appointed by the latter.

Annotation Whereas pursuant to P. 1 of the Normal Parish By-Laws the parishes are under the canonical jurisdiction of their Diocesan Bishop according to the holy canons by which the Orthodox parishes are directed as by fundamental laws of their existence, the Diocese Bishop being the Head of the local Church (Diocese), has the right to remove the clergymen of the Diocese from their positions in case of their serious crimes or misdeeds and transfer them to other positions for the good of the ministry. The Diocesan Bishop also has the power to suspend clergymen and excommunicate laymen in cases of serious violation of Church order and discipline. Such decisions of the Diocesan Bishop are announced to the clergymen directly or through Deans and to laymen through Rectors according to P. 14 of the Normal Parish By-Laws (Enacted by the Council of Bishops 23 May / 5 June, 1967, Record No. 15).

2. It shall be the aim of the parish to unite the believers around the parish church on the basis of the teachings, the canons, the traditions and the rules of the Russian Orthodox Church for the satisfaction of the religious needs and moral benefit of its members.

PART II

(General Provisions, Jurisdiction, Clergy)

3. It shall be the object of the parish to mutually assist the believers, forming part thereof and united in the Faith of Christ our Saviour, by means of prayers, sacraments, Christian teachings and Church discipline, in attaining salvation through the participation in sacraments and Christian enlightenment, worthy life and Christian charity. Accordingly, the immediate aims of the parish shall embrace; (a) the care of the church and its adornment; (b) the maintenance of the clergy; (c) the economic prosperity of the parish and the care of the needs of the church, clergy and all parish institutions, the diocesan and social needs; (d) charitable work and (e) educational work in the spirit of the Orthodox Church.

4. In conjunction with the parish church there shall be a clergy of not less than two members, viz., the pastor and the deacon or the psalmist-precentor, who shall receive living accommodation and subsistence from the parish. The Clergy shall be appointed by the diocesan authorities. The number of the members of the clergy may be increased or reduced by the Ruling Bishop in accordance with capacity and needs of the parish.

5. The boundaries of the parish may be changed by the diocesan authorities pursuant to the request of the parishioners and subject to the consent of the clergy of that parish where such changes are to be effected.

6. The establishment of a new parish shall be effected pursuant to the request of the faithful with the permission and blessing, by order of, the diocesan authorities.



7. A priest or a person in the service of the Church, as well as a layman, who secedes from the Russian Orthodox Church Outside of Russia and refuses to recognize the authority of the Synod of Bishops of the Russian Church Outside of Russia, shall not be permitted to occupy an office in the parish.
8. Priests and persons in the service of the church shall be considered lawfully appointed if they occupy their said offices by appointment and permission and with the blessing of the Ruling Bishop appointed to this office by the Synod of Bishops of the Russian Orthodox Church Outside of Russia.
9. The pastor shall be the immediate supervisor of the parish and he shall be held responsible for its welfare before the diocesan authorities.
10. The Ruling Bishop may, if he should deem it necessary, appoint a second priest as assistant to the pastor. The question of the maintenance of such as assistant shall be settled by the diocesan authorities acting in agreement with the Parish Council.

## PART III

## (Parishioners and Parish Members)

11. All Orthodox Christians of both sexes, regardless of their nationality, who have reached the age of 18 years, who pay the established membership dues, who make their confession and take Holy Communion not less than once a year and who undertake to promote the moral and economic welfare of the parish may become parish members.

Annotation 1 By decision of the Church Parish Council for persons of Orthodox faith who have not reached the age of 21, there may be organized, in conjunction with the parish, youth societies for their religious and moral upbringing.

Annotation 2 Persons who live in concubinage without Church marriage, or who are engaged in conduct considered by the Parish Council to be immoral or apposed to the religious teachings of the Church or who are convicted of criminal offences shall have no right to participate in the parish meetings or to be elected to parish offices. Those convicted of criminal offences may be restored in their rights after three years of having served their term and after absolution by their father-confessor.

Annotation 3 Those who make confession to a priest outside of their parish, must present to their Rector a certificate from that priest.

12. All parish members shall be recorded by the Secretary of the Church Parish Council in a special register. The membership enrolment shall be made by the Church Parish Council pursuant to a written application and in the event of such application for enrolment being refused an applicant shall have the right of appeal to a General Meeting of members notice whereof shall be given to the applicant not less than fourteen days before the holding thereof and the approval or rejection of membership shall be determined by a two-thirds majority of those present who are entitled to vote thereof.

All parish members, except those mentioned in Annotation 2 under paragraph 11, who regularly pay the membership dues and other obligatory dues fixed by the diocesan meetings, shall have the right to participate with a decisive vote in all parish meetings, to elect parish officials and to be elected to parish offices.



Annotation 1 The newly admitted members of the parish shall acquire the right to vote and to be elected to parish offices upon the expiration of six months after their admission to parish membership. Persons coming from another parish in the jurisdiction of the Russian Orthodox Church Outside of Russia and who present a certificate from it, are accepted into a new parish with no time limit of their voting rights.

Annotation 2 Parish members who shall have failed to pay their membership dues during three months shall be deprived of their rights to vote and to be elected to parish offices pending the payment of such arrears. Parish members who shall have failed to pay their membership dues during twelve months shall be excluded from parish membership. However, should a parish member fail to pay his dues because of some valid reasons (illness, unemployment, etc) the question of his right to vote shall be determined by the Church Parish Council.

14. Parish members who shall be found disloyal to the Russian Orthodox Church Outside of Russia and to their parish, or who deliberately neglect Church rules and obstruct lawfully adopted resolutions of the Parish meetings and the instructions of the Church Parish Council, as well as those who shall have violated the good order and decorum in the church or who shall be found engaged in occupation or business contrary to law or of an immoral nature may be excluded from parish membership by decision of the Church Parish Council, submitted by the latter for approval of the Ruling Bishop. The said persons may be restored in their rights by decision of the Church Parish Council provided they repent and prove by their ways of living and behaviour their moral rectitude.

PART IV

(Managing Organs and Officers)

15. The following shall be the managing organs:
- A. The general meeting of the members of the parish hereinafter called parish meetings;
  - B. The Church Parish Council;
  - C. The Auditing Committee.

A. PARISH MEETINGS

16. Parish meeting shall be: 1) Annual and 2) Extraordinary

1. ANNUAL PARISH MEETINGS

17. The time for the convening of the Annual Parish Meeting shall be fixed by the Church Parish Council. Not later than three weeks prior to the Annual Parish Meeting the Church Parish Council shall mail notices on the convening thereof together with the agenda. In addition thereto, the pastor, prior to the Annual Parish Meeting, shall announce its convocation from the steps before the altar on three successive Sundays after the divine service.

The pastor, or in case of his absence or illness, a priest substituting for him shall preside over the Annual Parish Meeting. The Vice-President shall be elected by the meeting from among the laymen. When a matter is deliberated upon which pertains to the pastor personally as well as when candidates to the members of the staff clergy are elected, it shall be obligatory that the provost, or another persons appointed by the Ruling Bishop, preside over the meeting.



19. The following shall be within the competency of the Annual Parish Meeting:

- (a) the election of the Warden, the members of the Church Parish Council, the Auditing Committee and the trustees;
- (b) the examination of the report of the Church Parish Council on the activities of the parish during the expired year;
- (c) the examination and ratification of the report of the Auditing Committee and the financial estimate for the forthcoming year;
- (d) the examination and ratification of the Warden's and Treasurer's report;
- (e) the fixing of the amount of the membership dues and other items of self-taxation;
- (f) the amendment of the By-Laws of the parish.

Annotation Canonical matters as well as jurisdictional matters (1-10) shall not be within the competency of either the Annual or Extraordinary Parish Meetings.

20. The Annual Parish Meeting shall be considered valid in the presence of a quorum of two thirds of the parish members.

Annotation If by the time fixed for the meeting the present parish members should fail to constitute the required quorum, another Annual Parish Meeting shall be convened one hour later on the same day which meeting shall be considered valid in the presence of any number of attending members. This provision should be included in the text of the notice convening the Annual Parish Meeting.

Annotation 2 The Parish Meeting checks the voting competence of its members. Every member of the Parish Meeting who has for some reason lost his right to participate in the Meeting must of his own accord remove himself from the participation in the Meeting.

Annotation 3 Should the Annual Parish Meeting be called to order in the presence of the required quorum but subsequently some members should quit the meeting and the number of those attending it should be less than the said quorum, the meeting shall nevertheless be considered valid.

Annotation 4 Personal attendance of the parish members at the Parish Meeting for voting purposes shall be obligatory. Voting by proxy shall not be permitted.

21. All matters shall be decided by simple and open majority vote. However, should any one of those present demand secret balloting, his request shall be honoured. In case of a tie the vote of the pastor or the person empowered by him to preside over the Annual Parish Meeting shall prevail.

22. The Secretary of the Church Parish Council shall keep the minutes of the Annual Parish Meeting and he shall record all decisions adopted thereat together with the dissenting opinions, should any be expressed by the participants in the meeting.



23. The minutes of the Annual Parish Meetings, after having been adopted by an editing committee elected by the meeting, shall be submitted not later than seven days thereafter by the pastor of the parish to the Ruling Bishop for his ratification and in the event of his failure or refusal to ratify the same an appeal shall lie to the Synod of Bishops.

2. Extraordinary Parish Meetings

24. Extraordinary Parish Meetings, if necessary, may be convened:

- (a) by order of the Ruling Bishop;
- (b) by the pastor of the parish;
- (c) by the Church Parish Council;
- (d) at the request of the Auditing Committee;
- (e) pursuant to a written request of not less than one-third of the parish members submitted to the Church Parish Council.

25. All the provisions of the By-Laws pertaining to the convening of the Annual Parish Meetings (18) and the keeping of the minutes (23 and 24) shall be likewise applicable to the Extraordinary Parish Meetings.

Annotation In emergency cases an Extraordinary Parish Meeting may be convened in an eight-day term. Regarding such a meeting the pastor shall make an announcement from the steps before the altar after the Sunday divine service, and, in addition, the Church Parish Council shall mail respective notices with a precise indication of the matter in connection with which the said meeting is being convened.

26. Only such matters shall be within the competency of an Extraordinary Parish Meeting as are specified in the notice convening same.

B. THE CHURCH PARISH COUNCIL

27. The Church Parish Council shall be composed of:

- (a) the Pastor of the parish who by virtue of his office shall be the President of the Church Parish Council;
- (b) The Church Warden;
- (c) the President or the Sister Superior of the Sisterhood organized in conjunction with the parish and functioning under the supervision of the pastor pursuant to a special state on Sisterhoods, ratified by the diocesan authorities;
- (d) The Treasurer;
- (e) the Secretary;
- (f) Staff members of the clergy;
- (g) from two to five lay members of the parish.

28. All the officials enumerated in Par. 28, with the exception of the Pastor and the staff members of the clergy appointed by the Ruling Bishop, as well as the Senior Sister of the Sisterhood selected by the latter, shall be elected at the Annual Parish Meeting for a term of one year, and, on recommendation of the Pastor, shall be approved in the respective offices by the Ruling Bishop. All the said officers, with the exception of the Pastor and the staff members of the clergy, shall perform their duties free of pay. The Church Warden shall be elected for a term of three years.



29. The following shall be within the competency of the Church Parish Council:

- (a) The adornment of the Parish Church and the safety of the entire Church property;
- (b) The Maintenance of the Clergy and their provision with living quarters;
- (c) The Collection of membership dues and other items of members' self-taxation.
- (d) The keeping of the Parish books and of the lists of confessors;
- (e) The care and organizing of the Church Choir under the direction of an experienced precentor;
- (f) The care of the educational and charitable work of the Parish;
- (g) The dealing on behalf of the Parish with Civil authorities in connection with all matters involving the Parish;
- (h) The maintenance of the Diocesan and the Central Church administration;

PARISH OFFICERS

a. The Pastor

30. The Pastor of the Parish Shall:

- 1. Conduct the Divine services and ceremonies according to the Orthodox rites;
- 2. Instruct the parish members and those attending church in the rules of the Orthodox Faith and devotion;
- 3. Instruct the children in catechism;
- 4. Endeavor to uplift the spiritual and moral level of the members of the Parish;
- 5. Preside over all parish meetings and all meetings of the Church Parish Council;
- 6. Supervise, with the assistance of the Church Warden the adornment of the parish church;
- 7. Have general supervision of the work of the Church Parish Council and that of the Church Warden;
- 8. Keep Parish registers and issue copies of the records therefrom;
- 9. Communicate on behalf of the parish with the Diocesan Authorities in connection with all matters involving the Parish;
- 10. Be responsible for the welfare of the parish;
- 11. Keep the church Seal;
- 12. Supervise the execution of all decisions of the Annual and Extraordinary Parish meetings and those of the Church Parish Council.

b. MEMBERS OF THE CLERGY

31. The members of the Clergy being the immediate assistants of the Pastor in the performance of his religious duties and in his educational work among the parish members and those attending Church shall;



1. Participate in all the meetings of the Church Parish Council as well as in the annual and extraordinary parish meetings .
2. Perform special duties conferred on them by the Pastor.

c. THE CHURCH WARDEN

32. The Church Warden, being the immediate assistant of the Parish Pastor with respect to economic matters, shall be directly responsible for the safekeeping of the Church property. In addition he shall:

1. Ensure that good order be observed in the Church during divine services:
2. Take charge of the sale of candles:
3. Maintain supervision over the monetary receipts and disbursements of the Parish:
4. Take the duly prescribed oath when he is newly elected.

d. THE TREASURER

33. The duties of the Treasurer shall comprise:

1. The keeping of the Parish receipts and disbursements ledgers in the form prescribed by the Diocesan authorities:
2. The keeping of the Parish funds in a manner prescribed by the Church Parish Council:
3. The disbursement under the control of the Church Warden of the Parish monetary assets.
4. The compilation of financial estimates and of the annual financial report for their submission to the Church Parish Council and the Annual Parish Meeting:
5. The submission of the complete monetary accounting to the Auditing Committee:

e. THE SECRETARY

- 34.. 1. The preparation under the direction of the Pastor of all correspondence on behalf of the Church Parish Council.
2. The keeping of the minutes of the annual and extraordinary parish meetings as well of those of the Church Parish Council:
3. The mailing of notices convening all Parish meetings and the meetings of the Church Parish Council:
4. The keeping of the lists and addresses of the Parish members:
5. The preparation, under the direction of the Pastor of the reports to the annual and extraordinary Parish meetings.

ANNOTATION

All the records and books shall be kept in accordance with the forms devised by the Diocesan authorities.

f. MEMBERS OF THE PARISH COUNCIL

35. The members of the Church Parish Council shall:

1. Participate in all the meetings of the Church Parish Council:
2. Be assistants of the Pastor and the Church Warden:
3. Perform special duties conferred on them by the Pastor and by the Church Parish Council:



4. In case of illness or temporary absence of some officer, they shall, by order of the Pastor, perform the duties of the absent officer.

Meetings of the Church Parish Council

36. The meetings of the Church Parish Council shall be convened by the order of the Pastor not less than once a month.
37. At the meetings of the Church Parish Council all matters shall be decided by simple majority vote while in case of a tie the vote of the Pastor or the person presiding over the meeting pursuant to his instruction, shall prevail.
38. The Secretary of the Church Parish Council shall keep the minutes of its meetings (P. 35, I, 2) and he shall record them in a special book therefor.

B. THE AUDITING COMMITTEE

39. The Auditing Committee shall be comprised of three members elected by the Annual Parish Meeting (P. 20, I, a) for a term of one year.

Annotation The members of the Church Parish Council shall not be eligible as members of the Auditing Committee, and the members of the latter cannot be members of the Church Parish Council.

40. By order of the Pastor the Auditing Committee shall begin its work not later than two weeks prior to the date fixed for the Annual Parish Meeting.

41. The following shall be the duties of the Auditing Committee:

1. The verification of the entire Treasurer's accounting and of the report compiled by him on the status thereof to the Annual Parish Meeting and the Church Parish Council (P. 34, I. 4)
2. The compilation of the findings on the verification of the accounting and of the report referred to in section one of this paragraph.
3. The submission of the findings referred to in section two of this paragraph to the Annual Parish Meeting.
4. The recommendation to the Annual Parish Meeting regarding any desirable change in the method of the keeping of the Treasurer's accounting.

42. In conjunction with the parish there may be established a Sisterhood. Its Chairman or Sister Superior, being guided in her work by the instructions of the Pastor and by the Statute on the Sisterhoods ratified by the diocesan authorities shall:

1. Take care, together with the other sisters, of the cleanliness of the church, the vestments and other objects in the sacristy;
2. Take an immediate part in the organization of the charitable work of the parish;
3. Take charge of the refectory and the household connected therewith;
4. Guide and Co-ordinate the work of the members forming part of the Sisterhood.





PART V  
( Church and Church Property )

- 43 . The following shall be a part of the property of the Church:
- (a) The Church building with all its appurtenances as well as Churches, Oratories and Chapels annexed to the Parish Church:
  - (b) Everything that is donated to the Church and brought to God's Altar for instance, articles needed for church use:
  - (c) Personal and Real property donated for the adornment of the Church:
  - (d) Monies received by the Church from different sources viz: candles-sales profits, jug and plate monies, residues of profits, income derived from estate and quit-rent and from the sale of plots in parish cemeteries and various sundry incomes:
  - (e) Personal and real property and capital funds specifically donated or bequeathed to the Church for its benefit or to its ownership even though with a special designation for charitable and educational needs of the Parish or the maintenance of the Clergy .

44 . Parish property shall consist of every kind of personal and real property and capital funds received for the satisfaction of the religious and educational as well as charitable needs of the Parish, which shall include :

- (a) Voluntary payments:
- (b) Plate collections within the boundaries of the Parish:
- (c) Voluntary collections under subscription lists:
- (d) Voluntary donations in kind by the Parishioners:
- (e) Incomes from real estate owned by the Parish:
- (f) Incomes from quit-rent:
- (g) Collections made by decision of the general parish meetings.

45 . The management of the Church and Parish property shall be vested in the Church Parish Council, and church real estate may be purchased or otherwise acquired out of church funds with the permission of the Diocesan authorities, by decision adopted either by the Annual Parish Meeting or the Extraordinary Parish Meeting convened therefor. The sale of church real estate, its alienation exchange or cession for building purposes shall be effected subject to the authorization of the Synod of Bishops.

46 . Monetary funds incomes and receipts belonging to the Church shall be disbursed in accordance with the estimate adopted by the Annual Church Parish Meeting and ratified by the Diocesan authorities.

47 . Parish property of every kind may be acquired alienated exchanged mortgaged leased and ceded for building purposes by the decision of the Annual Church Parish Meeting.

Reports of the expenditures of parish property and capital shall be submitted in due manner by the Church Parish Council to the Diocesan Authorities for their information.



49. All church parish sums, as these are being received shall be deposited by the Treasurer to the current account of the parish with a bank pursuant to the direction of the Church Parish Council.

50. By decision of the Church Parish Council, for meeting current expenses, the Treasurer may be allowed to keep a certain amount of money in the form of an advance subject to accounting the sum of which shall be determined by the Church Parish Council.

51. All cheques shall be signed by at least two persons, viz., the Pastor and the Church Warden, or the Treasurer, or in the absence of one of them by the Secretary. The Church Parish Council shall authorize the signing of the cheques by the said persons, and notice to this effect shall be given to the Bank. The Church seal shall be affixed to the cheques.

PART VII

(Amendment of the Parish By-Laws)

52. Amendments to these By-Laws may be made, if warranted by local conditions, not otherwise than with the consent of 2/3 of the parish members at a lawfully convened Annual Meeting, subject to the approval of the Diocesan Bishop, and on condition that such amendment in the By-Laws be ratified by the Synod of Bishops.

53. The suggested text of the paragraphs of the By-Laws, which it is proposed to amend, shall be incorporated into the notices convening the respective Annual Meeting.

PART VIII

The operations of the Parish shall cease

- (a) If the membership of the Church shall be less than four persons;
- (b) If a resolution to that effect is carried by a vote of a three-fourths majority of the financial members present at a general meeting called to consider the question and approved by the Diocesan Bishop and duly ratified by the Synod of Bishops;
- (c) Upon the closure or cessation of the Parish all real and personal estate then held by the Parish shall be transferred to and placed under the control of the ruling Archbishop in Australia of the Russian Orthodox Church outside of Russia.

54. Upon the issue of Letter Patent incorporating the said Church a Common Seal shall be obtained and may be affixed to any document by the authority of a resolution of the Church Parish Council and the affixing of such seal shall be attested by any two of the Pastor, Church Warden, Secretary and Treasurer for the time being, and when not in use the common seal shall be held by the Secretary for safe custody

55. The authority to determine the meaning of this Constitution and any matter relating to the operation and functions of the Church and Parish on which the Constitution is silent shall vest in the Synod of Bishops whose decision thereon shall be final and binding.



+ Archbishop Theodosy.  
(Kutlin)