

**BY-LAWS OF THE
DIOCESE OF NEW YORK AND NEW JERSEY
THE ORTHODOX CHURCH IN AMERICA**

APPROVED FINAL DRAFT

**Adopted on November 1, 2017
at the Diocesan Assembly
of the Diocese of New York and New Jersey,
Held at Saints Peter and Paul Church in Endicott, New York**

ARTICLE I
THE DIOCESE

The Diocese of New York and New Jersey (hereinafter “the Diocese”) is the local manifestation and ecclesial body of The Orthodox Church in America consisting of the geographical territory defined by the Holy Synod of Bishops of The Orthodox Church in America as constituting the Diocese of New York and New Jersey. It is comprised of all parishes, missions, provisional missions, mission stations, chapels, monasteries, and institutions of The Orthodox Church in America within the states of New York and New Jersey, excluding church institutions canonically exempt from Diocesan Jurisdiction.

The Diocese is a not-for-profit corporation chartered under the laws of the state of New York as the Diocese of New York and New Jersey.

The Diocese is administered by the canonically elected Bishop of New York and New Jersey who is a member of the Holy Synod of Bishops of The Orthodox Church in America.

The Diocese is governed by the canons and canonical discipline of the Orthodox Church, the Statute of The Orthodox Church in America, as adopted at the 18th All-American Council in July, 2015 (hereinafter, “the Statute”); its own Diocesan By-Laws; and the laws of the states of New York and New Jersey as they pertain to not-for-profit religious corporations. These By-Laws shall be interpreted as consistent with the Sacred Canons of the Orthodox Church and the Statute and shall be amended when necessary to comply with the Canons, Statute and civil law whenever they conflict therewith. In such cases as there may exist a discrepancy between these By-Laws and the Canons or Statute, the Canons and Statute shall always prevail.

ARTICLE II

THE DIOCESAN ADMINISTRATION

1. *The Diocesan Bishop.* The Diocese is administered by the Diocesan Bishop. The Diocesan Bishop is nominated, elected, consecrated and installed according to the norms provided in the Statute. By virtue of his episcopal consecration and canonical appointment, the Diocesan Bishop possesses full hierarchal authority within the Diocese.

2. *The Auxiliary Bishop.* At the request of the Diocesan Bishop and in accordance with the Statute, Auxiliary Bishop(s) may be appointed in order to assist him in fulfilling his archpastoral duties within the Diocese. The duties of the Auxiliary Bishop(s) and functions within the Diocese are determined by the Diocesan Bishop.

3. *The Diocesan Officers*

A. *The Chancellor.* The Chancellor is appointed by and serves at the discretion of the Diocesan Bishop. The Chancellor's responsibilities and duties are determined by the Diocesan Bishop. The Chancellor serves as an ex-officio voting member of the Diocesan Council and all its committees.

B. *The Diocesan Secretary.* The Diocesan Secretary is appointed by the Diocesan Bishop. The Diocesan Secretary is an ex-officio non-voting member of the Diocesan Council, unless appointed from among members who have been elected. The Diocesan Secretary shall perform such duties and shall have such powers as may be prescribed by the Statute and by these By-Laws and as may not be inconsistent with law. The Diocesan Secretary shall give, or cause to be given, notice of all meetings of the Diocesan Council. The Diocesan Secretary shall record all the proceedings of the meetings of the Diocesan Council in books provided for that purpose, and shall perform such other duties as may be assigned to the Diocesan Secretary by the Diocesan Bishop and Diocesan Council. In general, the Diocesan Secretary shall perform all the duties generally pertinent to the office of Secretary, subject to the oversight of the Diocesan Bishop and accountable to the Diocesan Council.

C. *The Diocesan Treasurer.* The Diocesan Treasurer is appointed by the Diocesan Bishop. The Diocesan Treasurer is an ex-officio non-voting member of the Diocesan Council, unless appointed from among members who have been elected. The Diocesan Treasurer shall perform such duties and shall have such powers as may be prescribed by the Statute and by these By-Laws and as may not be inconsistent with law. The Diocesan Treasurer shall have custody of all the funds and securities of the Diocese, and shall keep full and accurate account of receipts and disbursements in books belonging to the Diocese. The Diocesan Treasurer shall deposit all monies and other valuables in the name and to the credit of the Diocese in such depository or depositories as may be designated by the Diocesan Bishop and Diocesan Council. The Diocesan Treasurer shall disburse the funds of the Diocese as may be ordered by the Diocesan Bishop and Diocesan Council, taking proper vouchers for such disbursements. The Diocesan Treasurer shall render to the Diocesan Bishop and the Diocesan Council, whenever either of them so requests, an

account of all transactions as Diocesan Treasurer and of the financial condition of the Diocese. The Diocesan Treasurer shall perform all the duties generally pertinent to the office of the Treasurer, subject to the oversight of the Diocesan Bishop and accountable to the Diocesan Council.

4. *The Auditing Committee.* The Auditing Committee of the Diocesan Council, consisting of three members, shall be elected by the Diocesan Assembly for three years. The Auditing Committee shall audit annually the accounts of the Diocesan Treasurer or of the Diocesan Administration with respect to all Diocesan funds of all Church-related institutions within the Diocese and report to the Diocesan Council. Members of the Auditing Committee attend sessions of the Diocesan Council only to make their reports. Vacancies in the Auditing Committee are filled by the Diocesan Bishop.

5. The Diocesan Council may establish additional committees or commissions to serve specific purposes and functions, according to the needs of the Diocese, as it deems necessary and proper. Membership in such committees or commissions is open to all members of the Diocese. Committee Chairs may attend Diocesan Council Meetings, but without the right to vote. Appointment of all committees and their chairmen shall be made by the Diocesan Bishop.

ARTICLE III

THE DIOCESAN ASSEMBLY

1. The Diocesan Assembly is the annual administrative meeting of the Diocese and is presided over by the Diocesan Bishop or other person(s) specifically appointed by him. If there is no ruling Diocesan Bishop or if the Diocesan Bishop is incapacitated, then the Locum Tenens shall preside over the Diocesan Assembly. The time and place of the annual Diocesan Assembly is determined by the Diocesan Council with the approval of the Diocesan Bishop and announced at least ninety days prior to the meeting. The meeting agenda for the Diocesan Assembly shall be fixed in advance by the Diocesan Council with the approval of the Diocesan Bishop and sent to all delegates at least thirty days in advance.
2. Special Diocesan Assemblies may be called by decision of the Diocesan Bishop and the Diocesan Council or as provided for in the Statute.
3. The Diocesan Bishop shall appoint two co-chairs for the Diocesan Assembly, one priest and one layperson.
4. The Diocesan Bishop shall nominate and the Diocesan Assembly shall approve the secretariat.
5. The Diocesan Assembly shall consist of:
 - a. The Diocesan Bishop;
 - b. The Auxiliary Bishop(s);
 - c. The members of the Diocesan Council and the members of the Auditing Committee;
 - d. The senior priest of the Diocesan Cathedral and the Abbots of Diocesan monasteries;
 - e. The priests and deacons of each Parish, ex-officio, and an equal number of Lay Delegates elected by their respective Annual Parish Meetings or Parish Councils, corresponding to the number of assigned clergy;
 - f. Priests not having parishes if accredited by the Diocesan Council with the permission of the Diocesan Bishop;
 - g. One Lay Delegate from each parish not having a priest;
 - h. Retired bishops and priests residing in the Diocese with the right to attend and the right of consultative voice, but without the right to vote; and
 - i. Additional persons invited to attend by the Diocesan Bishop or by the Diocesan Council with the approval of the Diocesan Bishop, with or without the right to participate in the discussions but without the right to vote.
6. Every Parish in the Diocese which has remitted all established annual parish financial obligations, as determined by previous All-American Councils of The Orthodox Church in America for the support of the Central Church Administration and all annual parish financial obligations as determined by previous Diocesan Assemblies for the support of the Diocese, is entitled to elect, for a term of one year, Lay Delegates equal in number to the priests and deacons assigned to the parish. Disputes concerning delegates must be addressed in writing to the Diocesan Council at least 75 days prior to the Diocesan Assembly.

7. Lay Delegates of the Diocesan Assembly must be elected by the Annual Parish Meeting or Parish Council, be a voting member of the Parish in good standing, and be accredited according to the Statute, Article IX, Section 7.

8. Parishes not having a priest are entitled to one Lay Delegate.

9. Any member of the Diocese in good standing with his or her Parish and approval of the Parish Priest, who has registered according to established registration procedures, has the right to attend Diocesan Assemblies as a non-voting Observer.

10. The Diocesan Assembly:

a. Nominates candidates for Diocesan Bishop at Special Diocesan Assemblies as provided for in the Statute.

b. Elects one priest and one layperson from each Deanery to serve as members of the Diocesan Council for a term of three years. Candidates must meet election and qualification requirements as put forth in Article IX, Section 7 of the Statute.

Nominations for clergy Diocesan Council members should be forwarded to the Diocesan Council by the respective Deans no later than 45 days prior to the Diocesan Assembly.

Nominations for lay members should be forwarded to the Diocesan Council by the respective District Deans no later than 45 days prior to the Diocesan Assembly.

Candidates must be present at the Diocesan Assembly to be elected. Nominations from the floor of persons present shall be accepted.

c. Elects one priest and one layperson from the Diocesan Assembly at-large to serve as Diocesan representatives to the Metropolitan Council for a term of three years.

d. Approves measures to strengthen the Orthodox Faith, religious education initiatives, and charities of the Diocese.

e. Participates in the implementation of the All-American Council decisions on the Diocesan and Parochial levels.

f. Approves the annual Budget and annual parish financial obligation.

g. Authorizes the Diocesan Council to acquire, encumber, or otherwise dispose of Diocesan properties.

h. Elects three members, one clergy and two laypersons, as Auditors of the Diocese for a term of three years.

11. The Diocesan Council shall propose and the Diocesan Assembly shall confirm the voting procedures to be observed. Unless overturned by a simple majority, voting for candidates for office is by secret ballot and voting for resolutions is by show of hands or voice. In all cases, a simple majority is required. Disputes are settled by the appointed co-chairs with the approval of the Diocesan Bishop.

12. No resolution or other action of the Diocesan Assembly shall be effective until it is approved by the Diocesan Bishop, or the Locum Tenens in the case of a Special Diocesan Assembly. Approval or disapproval shall in the normal course be announced before the adjournment of the Diocesan Assembly.

ARTICLE IV

THE DIOCESAN COUNCIL

1. The Diocesan Council is the body which assists the Diocesan Bishop in matters of Diocesan administration between annual sessions of the Diocesan Assembly. The chairman of the Diocesan Council is the Diocesan Bishop or in his absence, the Auxiliary Bishop or priest appointed by the Bishop. The Diocesan Council consists of the Chancellor, the District Deans, one priest and one lay person from each Deanery, the Diocesan Secretary, and the Diocesan Treasurer. The Diocesan Secretary and the Diocesan Treasurer may be appointed from elected members in which case they are voting members of the Council. The Council also includes the non-voting clergy and lay delegates to the Metropolitan Council elected by the Diocesan Assembly.
2. Deanery representatives are elected at the Diocesan Assembly to act as voting members of the Diocesan Council for a term of three years, after which time they may stand for re-election.
3. The Diocesan Council shall meet at least quarterly or as deemed appropriate by the Diocesan Bishop. The Diocesan Secretary shall provide notification to all Diocesan Council members at least twenty-one days prior to each meeting.
4. For all meetings, together with the Diocesan Bishop or presiding officer, one-half of the members shall constitute a quorum. Members must be present to vote. Majority vote of all members present shall determine all decisions, subject to confirmation by the Diocesan Bishop. In the event of a tie in votes, the Diocesan Bishop or presiding officer shall cast the deciding vote.
5. For just cause and to respond to an unforeseen need, extraordinary sessions are convened by the decision of the Diocesan Bishop or, with his approval, at the request of a majority of the Diocesan Council membership, and do not require a specific period of notification. If an extraordinary session cannot be scheduled with a quorum, a vote of members of the Diocesan Council may be conducted by either regular or electronic mail or by any other means deemed appropriate. In this case, the Diocesan Secretary shall distribute to each Diocesan Council member the text of the resolution and any background information required to make an informed decision. The Diocesan Secretary shall compile the results from the voting members, report them to the Diocesan Bishop for his confirmation and disseminates them to all the members of the Diocesan Council. The Diocesan Secretary shall record the results in the minutes of the next Diocesan Council meeting.
6. The Diocesan Council shall:
 - a. Promote and defend the Holy Orthodox Church, encouraging spiritual formation in the Orthodox Christian way of life, communally and personally, among the members of the Diocese, its parishes, and institutions;
 - b. Implement decisions of The Orthodox Church in America's All-American Council as they impact the Diocese;
 - c. Assist the Diocesan Bishop in implementing the decisions of the Diocesan Assembly, and his archpastoral directives, for the parishes and institutions of the Diocese;

- d. Identify, enable, and encourage the use of programs and resources within the Diocese which will increase the knowledge of God for the Diocese, its parishes, and institutions;
- e. Provide for the establishment and maintenance of institutions of charity and education within the Diocese;
- f. Provide for the maintenance of Diocesan administrative bodies and the allocation of general Diocesan funds;
- g. Determine the allocations, when necessary, of general Diocesan funds to parishes, monasteries, convents, missions, or other Diocesan institutions;
- h. Take the initiative in Diocesan fund-raising projects;
- i. Attend to legal matters affecting the interests of the Diocese;
- j. Forward Diocesan legal matters related to sexual misconduct allegations to the Chancery Office of the Central Church Administration pursuant to the Statute as well as in keeping with the *Policies, Standards and Procedures of the Orthodox Church in America on Sexual Misconduct*;
- k. Examine the financial reports of the Diocese;
- l. Supervise the collection of annual parish financial obligation as fixed by the Diocesan Assembly;
- m. Render a final decision regarding the authenticity of the minutes of the Diocesan Assembly when a discrepancy arises, subject to the final approval of the Diocesan Bishop;
- n. Make preparations for the Diocesan Assembly.

7. The Auditing Committee shall perform an annual audit of the accounts of the Treasurer or of the Diocesan administration with respect to all Diocesan funds of all Church-related institutions within the Diocese and report its findings to the Diocesan Council. Members of the Auditing Committee attend sessions of the Diocesan Council only to make their reports.

ARTICLE V
THE DEANERY

1. Deaneries are specified districts within the boundaries of the Diocese which are established by the Diocesan Bishop.
2. The District Dean is the priest who is the head of a Deanery. While subordinated to the Diocesan Bishop, he has the responsibility of leading the life of the Deanery and is the first instance of appeal when disputes arise.
3. Subject to the instructions of the Diocesan Bishop, the District Dean has competence in:
 - a. Directing the affairs of the Deanery;
 - b. Supervising the activities of the clergy of the Deanery;
 - c. Giving directives and explanations in matters of pastoral services, with the right to direct, counsel, and admonish, in a strictly private and circumspect manner, Parish Priests and clergymen within his Deanery whenever their personal conduct or manner of discharging duties indicates the need of such action;
 - d. Receiving and investigating complaints against Parish Priests or other clergymen, any member of a Diocesan Parish, as well as protests against the decisions of the Parish bodies, which complaints or protests he submits with his report to the Diocesan Bishop;
 - e. Convoking Deanery meetings;
 - f. Filling temporary vacancies in Parish clergy with the consent of the Diocesan Bishop;
 - g. Receiving the minutes of the Annual and Special Parish Meetings held within his Deanery, within 30 days of the aforementioned meetings, with the right to make recommendations to the Diocesan Bishop;
 - h. Taking part in parish meetings upon commission by the Diocesan Bishop or the request of the Parish Priests or the Parish Council;
 - i. Aiding and planning the organization of new Parishes within his Deanery;
 - j. Acting on all other matters submitted to him by the Diocesan Bishop;
 - k. Submitting the minutes of every meeting of the clergy of the Deanery to the Diocesan Bishop;
 - l. Submitting an annual report on the status of his Deanery to the Diocesan Bishop and Diocesan Assembly, giving an account of the state of the Deanery through its achievements, growth and needs.
 - m. Negotiating with the Parish and the assigned Parish Priest the salary and fringe benefits, in consultation with the Parish Council, and confirmed by the Diocesan Bishop, prior to the assignment.
4. The District Dean is elected from among the Parish Priests of the Deanery and confirmed by the Diocesan Bishop for a term of three years.

ARTICLE VI
THE PARISH

1. The Parish is a local community of the Church having at its head a duly appointed priest and consisting of Orthodox Christians who live in accordance with the teachings of the Orthodox Church, comply with the discipline and rules of the Church, and regularly provide for the material support of their Parish. The Parish is a component part of the Diocese under the jurisdiction of the Diocesan Bishop and is canonically subject to him. The term Parish refers to parishes, missions, provisional missions, and mission stations.
2. The organization and administration of a Parish are subject to the Holy Canons of the Orthodox Church, the Statute, the Diocesan By-Laws, the Parish By-Laws, and the Parish's Articles of Incorporation.
3. The Parish is established by decision of the Diocesan Bishop within whose Diocese it is constituted. A local group may petition the Diocesan Bishop to establish a Parish. After they have demonstrated to the Diocesan Bishop that the proposed Parish is self-supporting and stable, he may guide them in securing their pastoral and liturgical needs, developing Articles of Incorporation and by-laws, and fulfilling other canonical and legal requirements as are consistent with the Holy Canons, the Statute, these By-Laws and civil law. Every Parish Articles of Incorporation or set of by-laws must provide the mechanics for implementing all decisions of the All-American Council and the Diocesan Assembly. No Articles of Incorporation or by-laws of a Parish shall be effective unless approved by the Diocesan Bishop. According to the teaching of the Orthodox Church, the Diocesan Bishop is the head of all Parishes which constitute his Diocese.

The Diocesan Bishop assigns, transfers, and approves the retirement of parish clergy, has the obligation and right of regular and special visitations to the Parish, approves received reports on Parish life, and in case of conflicts and disorders within the Parish, takes all necessary measures consistent with the Sacred Canons, the Statute, and Diocesan By-Laws for the good order of the Church.

4. At the head of the Parish is the Parish Priest who is assigned by the Diocesan Bishop. The Parish Priest is the spiritual father and teacher of his flock and the celebrant of the liturgical worship as established by the Church. He teaches and edifies the faithful entrusted to his spiritual care and assures that all activities within the Parish serve the mission of the Church. No activities in the Parish can be initiated without his knowledge, approval, and blessing; neither should he do anything pertaining to the Parish without the knowledge of his parishioners and duly elected Parish Officers, so that always and everywhere there may be unity, mutual trust, cooperation, and love.

In conformity with his teaching office, the Parish Priest shall have final authority over the church school.

To be free from material preoccupations and wholly committed to his sacred ministry, the Parish Priest must be compensated by the Parish, the amount of his compensation being clearly agreed upon by the District Dean and the Parish Council at the time of his appointment, subject to

annual increase based on Diocesan Clergy Compensation Guidelines and budgetary capacity, with report being made to the District Dean, and upon approval of the Diocesan Bishop.

5. Parishioners are those who, by virtue of their Baptism and Chrismation, are members of the Body of Christ and strive to live in accordance with their high calling as Orthodox Christians. No one can be a member of the Parish if he is openly opposed to, betrays, or lives in a manner contrary to the teaching of the Orthodox Church, or if he leads a life or acts in a manner condemned by the Holy Canons as incompatible with Orthodox Christian teachings.

A Parishioner who is at least 18 years of age, who receives the Sacrament of Confession at least once a year in his home Parish or, with the permission of the Parish Priest, elsewhere; who receives Holy Communion at least once a year in his home Parish; has belonged to the Parish for a period as may be fixed by the Parish By-Laws; and regularly fulfills such financial obligations as may be established by the All-American Councils, Diocesan Assemblies, and Annual Parish Meeting; is afforded the privilege of voting at Parish Meetings. The final determination of who qualifies as a member of a particular Parish, for the purposes both of the privilege to vote at Parish Meetings and of inclusion in the census required by Article VI, Section 6 below, as defined by the Statute, shall be made by the Parish Priest, in consultation with any Parish Council members with whom he may need to consult. The census of members of a Parish submitted to the Diocesan Treasurer shall be conclusive for all purposes.

6. The Parish shall remit monthly to the Diocesan Treasurer its required annual parish financial obligation to the Diocese. This annual parish financial obligation shall be determined through a proportional manner of giving; i.e., each Parish of the Diocese of New York and New Jersey shall remit a percentage, as determined and approved by the Diocesan Assembly or Diocesan Council, of the annual parish income excluding restricted, charity, pass through and designated funds (its adjusted gross income). The Parish is also responsible for submitting a census of such parishioners to the Diocesan Bishop annually, by a deadline determined by the Diocesan Council.

7. Since all members of the Body of Christ are responsible for the preservation of the Faith and the building up and growth of the Church, the By-Laws of each Parish shall provide for regular Annual Parish Meetings or Special Parish Meetings of voting parishioners in good standing. At these meetings all matters pertaining to the life of the Parish may be discussed and acted upon, all necessary measures for the spiritual and material welfare of the Parish initiated and approved, and officers and members of the Parish Council and other Parish bodies provided for in the Parish By-Laws nominated and elected. All Annual and Special Parish Meetings must be announced by the Parish Priest from the Ambo on the three consecutive Sundays prior to the scheduled meeting date, and published in the Parish bulletin. The Parish Priest presides at the Annual Parish Meeting. The Parish Priest may appoint others to act as chairpersons of the Annual Parish Meeting.

In the case of the Parish Priest's disagreement with any decisions of the Annual Parish Meeting(s), his disagreement and motivated opinion must be recorded in the minutes and the whole matter submitted to the Diocesan Bishop. Parish officers may state their motivated opinions, first to the District Dean, who shall relay them to the Diocesan Bishop.

8. The Annual Parish Meeting shall elect a Parish Council to assist the Parish Priest in the administration of the Parish and to execute the decisions of the Annual Parish Meeting. The Parish Council shall consist of as many officers and members as provided for in the Parish By-Laws, in compliance with the Statute of The Orthodox Church in America, and these Diocesan By-Laws.

a. All officers and members of the Parish Council shall, after their election at the Annual Parish Meeting and approval by the Diocesan Bishop, be duly installed by the Parish Priest, making a solemn commitment to uphold their office for the wellbeing of the Church.

b. No meetings of the Parish Council may be held without the knowledge and blessing of the Parish Priest who, as the head of the Parish, must take part in the discussion and resolution of all Parish affairs. While the Parish Priest is the head of the Parish, he may appoint another to act as a chairperson of the Parish Council Meetings.

c. The minutes of all meetings of the Parish Council shall be signed by the Parish Priest and the senior elected officer of the Parish. In the case of the Parish Priest's disagreement with one or several decisions of the Parish Council, his motivated opinion shall be recorded in the minutes and the matter referred to the District Dean.

d. The Parish Council shall be responsible not only for the spiritual and material needs of the Parish, but also for the Parish's responsibility to participate in the life and mission of the Diocese and the Church, for each Parish is called to manifest the unity of the Body of Christ, and each carries responsibility for the whole Church.

9. The Parish or Parish corporation is the sole owner of all Parish property, assets, and funds. In administering them, however, the Parishioners and the Officers elected by them must always remember the religious nature, purposes, and goals of the Parish and act as trustees of that which is entrusted to their stewardship. All parish property, assets and funds are and shall be owned and held by the Parish or Parish corporation in trust for the use, purpose, and benefit of the Diocese. The Parish, with the whole Church, serves Christ and continues His work in the world, and all decisions concerning Parish property must be inspired by that care and by the spiritual needs of the Church.

a. In the event of apostasy from the Orthodox Faith, schism, disobedience to the Diocesan Bishop, or defection of a Parish from the canonical jurisdiction of The Orthodox Church in America, the Diocesan Bishop, in consultation with the Diocesan Council, shall have the power to declare the Parish in canonical disorder and shall immediately assume the administration and control of its properties and funds, or delegate such administration and control to the District Dean, until the Diocesan Bishop, in consultation with the Diocesan Council, declares the Parish to be in canonical order. In the event that the restoration to canonical order does not occur, the Diocesan Bishop may declare the Parish to be dissolved and canonically suppressed.

b. This decision may be appealed by the Parish to the Holy Synod of Bishops of the Orthodox Church in America, which has final jurisdiction in all matters of canonical order. In the event that a group in a Parish decides to withdraw from the jurisdiction of The Orthodox Church in America, that segment of the Parish which remains loyal to the

jurisdiction of The Orthodox Church in America shall retain full title to all the Parish assets and property.

c. When it is determined by the Diocesan Bishop or at the advisement of the Parish Council that the Parish is incapable of sustaining itself or wishes to be dissolved, an Annual or Special Parish Meeting shall be called in accordance with the terms of the Parish By-Laws. If three-fourths of the existing members in good standing vote in favor of such dissolution, or in the event that a Parish has been disbanded and a Parish Meeting cannot be called, the Diocesan Bishop may declare said Parish dissolved.

d. In the case of a declaration of dissolution of a Parish by the Diocesan Bishop, all Parish property, real and personal, shall devolve to the Diocese and shall be subject to appropriate disposition as the Diocesan Bishop determines. All sacred items, including the Holy Antimension, the Tabernacle, the Holy Icons and the Sacred Vessels, must be immediately surrendered to the Diocesan Bishop or to the District Dean.

e. Anything to the contrary notwithstanding, the canonical provisions of this Section cannot be amended, altered, changed or modified.

ARTICLE VII

THE EFFECTIVE DATES OF DECISIONS

All decisions of the Diocesan Council, the Diocesan Assemblies, Special Diocesan Assemblies, Annual Parish Meetings and Special Parish Meetings are in effect only after approval and confirmation by the Diocesan Bishop. Minutes of the aforementioned meetings at which the Diocesan Bishop is not present must be mailed to the Diocesan Bishop and the District Dean within 30 days of the meeting. Installation of Parish Council members may not proceed until the Parish Priest has received written approval for their installation from the Diocesan Bishop.

ARTICLE VIII

THE DIOCESAN MINUTES, RECORDS, AND SEAL

The Diocese shall keep, at its principal office, a Book of Minutes of all meetings of the Diocesan Council; a Book of Minutes of all Diocesan Assemblies; a book of the accounts of the Diocese, containing the General Ledger of the accounts of the Diocese, with accurate and adequate records of the business transactions of the Diocese as well as Diocesan properties, assets, liabilities, receipts, disbursements, gains and losses; and true copies of all records relevant to the value, and cost, of all property which the Diocese owns, claims, possesses or controls.

The minutes of all meetings, both of the Diocesan Assemblies and the Diocesan Council, shall contain the following: the date, time and place of the meeting, the names of those present, the notice given for this meeting and the proceedings thereof.

The Book of Minutes and the General Ledger shall be open to inspection by any member of the Diocesan Council or the Diocese, or agent or attorney thereof, at any reasonable time, upon written demand to the Diocesan Secretary. Such inspection must be made in person and the right of inspection includes the right to make extracts.

The Diocesan Council shall provide for the preparation and submission to the Parishes, for distribution to the members, of an annual Diocesan report which includes a financial statement. Such report shall summarize the Diocese's activities for the preceding year and activities projected for the coming year. The financial statement shall consist of a balance sheet as of the close of business of the preceding year, and a summary of receipts and disbursements, and shall be prepared in such manner and form as is sanctioned by sound accounting practices, and shall be certified by the Auditing Committee. This report shall be distributed to all Parish communities, missions and institutions of the Diocese at least 30 days prior to the Diocesan Assembly.

The fiscal year of the Diocese of New York and New Jersey shall be the calendar year.

The Diocesan Council shall provide a corporate seal, which shall be in the following form: (To be provided)

Such seal shall be affixed to all corporate instruments, but failure to affix it shall not affect the validity of any such instrument.

ARTICLE IX
AMENDMENTS

1 These By-Laws may be amended by a two-thirds vote at any Diocesan Assembly. Amendments to these By-Laws may also be proposed by the Diocesan Council, Deaneries, or by Parishes of the Diocese by decision at Annual Parish Meetings or Special Parish Meetings, and sent to the Office of the Diocesan Bishop. The text of any proposed changes, amendments, or additions to the Diocesan By-Laws which are accepted as being in order must be mailed to all Parishes for distribution to the membership at least sixty days before the Diocesan Assembly.

2 These By-Laws may be amended in conformity with the decisions of the All-American Council or the Holy Synod of Bishops of The Orthodox Church in America insofar as they do not conflict with the laws of the States of New York and New Jersey.

3 Any proposed amendment must be voted on at the Diocesan Assembly meeting at which it is presented provided a quorum of delegates is present.