

PROPOSED BYLAW REVISIONS FOR MARCH 2021 DELEGATE ASSEMBLY
 CONSTITUTION AND BYLAWS OF MENNONITE CHURCH ALBERTA

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INTERPRETATION

In these Bylaws:

- a) "Act" means *the Religious Societies Lands Act*, RSA 2000, ch. R-15, including the Regulations made pursuant to the Act, and any statute or regulations that may be substituted, as amended from time to time;
- b) "Congregation" means a body of persons who have responded to the call of Christ and who are visibly grouped for the expressed purpose of implementing their obedience to Christ as head of the church;
- c) "Congregational Leadership Committee" means the MCA Standing Committee that works to equip and discern matters of congregational leadership;
- d) "Delegate" means a member of a Member Congregation who has been appointed or elected as representative at a Delegate Meeting or Special Delegate Meeting. Delegates carry all the rights and responsibilities described in

- e) PART B: BYLAWS ARTICLE 2: below;
- f) "Delegate Meeting" means a duly executed Meeting of the Delegates of MCA which must be held annually between March 1 and May 31 of each year;
- g) "Director" means a director of MCA who is a member of the MCA Executive;
- h) "Executive Minister" means a person appointed to provide administrative and spiritual oversight to the work and ministry of MCA, and support for congregations, their pastors and other leaders;
- i) "Ex-Officio" means that a person attends the meeting and has a voice, but does not have a vote;
- j) "General Council" means the MCA Executive, the Executive Minister, the chair, or designated committee member, of each standing committee, and others as approved by the MCA Executive or the Delegates;
- k) "MCA" means Mennonite Church Alberta;
- l) "MCA Congregations" includes Member Congregations and Provisional Member Congregations;
- m) "Member Congregation" means a congregation that is a member of MCA;
- n) "Mennonite Church Alberta" is a body incorporated pursuant to the Act and includes congregations which covenant together in relationships of love, caring and mutual accountability for the purpose of serving in and building the Reign of God according to the Scriptures, as expressed by the Confession of Faith in a Mennonite Perspective;
- o) "Mennonite Church Alberta Executive" means the MCA Board and includes the Moderator, Vice-Moderator, Secretary, Finance Chair of MCA, and other Directors and the Executive Minister in an ex officio capacity;
- p) "Mennonite Church Canada" means the covenanted partnership of Mennonite Church Canada, which includes Regional Churches that have agreed to work together for the betterment of the collective Membership of MC Canada;
- q) "Ministry staff" means the people that MCA employs directly to conduct its ministry programs;
- r) "Ordinary Resolution" means a resolution passed by a majority of not less than 50% plus 1 of the votes cast on that resolution;
- s) "Pastors Council" is an advisory council of MCA made up of the MCA Executive Minister, the MCA Ministry Staff, and all pastors and spiritual leaders of Member Congregations;
- t) "Provisional Member Congregation" means a congregation that is a provisional member of MCA with the rights and responsibilities described in

- u) PART B: BYLAWS ARTICLE 1: below;
- v) "Regional Church" is any of the bodies of congregations that have joined the membership of Mennonite Church Canada;
- w) "Special Delegate Meeting" refers to a special meeting of the members of MCA, and which are entitled to vote at a Delegate Meeting;
- x) "Special Resolution" means a resolution passed by a majority of not less than two-thirds (66%) of the votes cast on that resolution.

Words importing the singular number include the plural and vice versa; and words importing persons include individuals, corporations, partnerships, trusts and unincorporated organizations.

Headings and subheadings are inserted for ease of reference and guidance purposes only and do not form part of these *Bylaws*.

PART A: CONSTITUTION

ARTICLE 1: NAME

- 1.1 The name of this organization shall be Mennonite Church Alberta.

ARTICLE 2: BACKGROUND

- 2.1 Mennonite Church Alberta can trace its roots back to the "Alberta Conference" which came into existence at a meeting of Mennonite leaders in the fall of 1929. In October 1952, the "Mennonite Conference of Alberta" approved its first constitution and was registered as a corporation with the Province of Alberta. In 1967, the Mennonite Conference of Alberta was registered as a charitable organization with Canada Revenue Agency. In 1971 the constitution was revised. In October 1981, the conference changed its name to "Conference of Mennonites in Alberta". The first bylaw of the Conference of Mennonites in Alberta was passed in April 1985 called "By-law #1". In 1995 there were some revisions to the bylaws. In 2002 the conference changed its name to "Mennonite Church Alberta". In that year the existing constitution and bylaws were repealed and replaced with a new constitution and bylaws. In 2003 and 2011 there were revisions approved to the constitution and bylaws, but these revisions were not registered with the Province of Alberta and thus are not enforceable.

ARTICLE 3: VISION AND PURPOSE

- 3.1 Our vision is to be a community of Anabaptist-Mennonite congregations worshipping the one holy and loving God. Joined together in Jesus Christ, we are guided by the Holy Spirit and scripture as we seek to grow as communities of grace, joy and peace. Together we seek to embody Jesus Christ in the world.
- 3.2 Our Purpose is:

- 3.2.1 To Promote the spiritual wellbeing and the unity of the Spirit among member congregations
- 3.2.2 To Provide mutual assistance in the work of the Kingdom of God
- 3.2.3 To Encourage a Christian faith from an Anabaptist-Mennonite Perspective
- 3.2.4 To Provide an avenue of engagement between the congregations of the region, between regional churches in Canada, with affiliated organizations, and with other faith traditions
- 3.2.5 To Provide an avenue of service within our membership and to those who are not within a member church organization
- 3.2.6 To Provide assistance to small groups or congregations who are not able to sustain themselves.

ARTICLE 4: AFFIRMATION OF FAITH

- 4.1 Faith statements and confession statements serve the church by providing guidance for biblical interpretation, belief and practice; building a foundation for unity and instruction in the midst of changing times; and assisting in discussing Mennonite belief and practice.
- 4.2 We accept the Confession of Faith in a Mennonite Perspective¹, as adopted by the Regional Churches of Mennonite Church Canada, as a guide for faith and practice.

ARTICLE 5: AFFILIATION

- 5.1 Mennonite Church Alberta is affiliated with Mennonite Church Canada and its affiliates.

¹ Herald Press Editors. Confession of Faith in a Mennonite Perspective. Herald Press. 1995. Available through MCA or member congregations

PART B: BYLAWS

ARTICLE 1: MEMBERSHIP

Becoming a Member

- 1.1 In order for a congregation to qualify and maintain its membership within MCA, the congregation must:
 - 1.1.1 affirm and support the vision, mission and purpose of MCA;
 - 1.1.2 affirm and support the Confession of Faith in a Mennonite Perspective, as set forth in the Affirmation of Faith above;
 - 1.1.3 send Delegates to MCA Delegate Meetings;
 - 1.1.4 support the resolutions and ministries developed and accepted by the Delegate body of MCA; and
 - 1.1.5 provide financial support for and encourage involvement by congregational members in MCA supported programs;
- 1.2 Congregations requesting membership in MCA must make application in writing to MCA Executive at least six (6) months prior to the Delegate Meeting.
- 1.3 The MCA Executive will review every application received and may recommend approval for a provisional one-year membership to the Delegates at the Delegate Meeting. If the conditions of the provisional one-year membership, in accordance with section 1.1.1 and 1.1.2 are met, the MCA Executive may make a recommendation for approval of full membership to the Delegates at the next Delegate Meeting. The provisional period may be extended upon agreement between the congregation and the MCA Executive.
- 1.4 During the provisional one-year membership MCA and the Member Congregation must:
 - 1.4.1 commit to working with MCA on intentional efforts ensuring compatibility with the faith perspective of MCA and building relationships with other MCA congregations; and
 - 1.4.2 build relationships with other Member Congregations.

Rights & Privileges of Members

- 1.5 The rights and privileges of Member Congregation shall be available only to churches and religious groups which have applied and have been accepted as an MCA Member Congregation.
- 1.6 The right and privileges of Member congregations may be limited if they are not in good standing. These limitations will be enacted by an ordinary resolution.
- 1.7 A Member Congregation is entitled to:
 - 1.7.1 receive notice of, attend, and vote at all Delegate meetings and Special Delegate Meetings;
 - 1.7.2 vote at Delegate Meetings and Special Delegate Meetings as per the provisions of these Bylaws and the MCA Policies and Procedures Manual;
 - 1.7.3 participate in the activities of MCA;

- 1.7.4 have its pastors credentialed by MCA, according to credentialing and accountability requirements outlined by MCA;
 - 1.7.5 have its pastors participate as voting members in the MCA Pastors Council;
 - 1.7.6 receive advice and counsel from the MCA Executive Minister and MCA General Council;
 - 1.7.7 receive publications and other services provided by MCA;
 - 1.7.8 apply for and receive financial or other necessary support from MCA;
 - 1.7.9 promote local congregational services and ministries through MCA communication channels;
 - 1.7.10 participate in and contribute to all MCA services and ministries; and
 - 1.7.11 participate in and contribute to the services and ministries of Mennonite Church Canada
- 1.8 A Provisional Member Congregation is entitled to:
- 1.8.1 The rights and privileges of a Provisional Member Congregation shall be available only to churches and religious organizations which have applied and have been accepted as a Provisional Member Congregation.
 - 1.8.2 The term of membership of a Provisional Member Congregation shall be annual, subject to renewal in accordance with the bylaws and policies of MCA. During the provisional one-year membership, the Provisional Member Congregation must:
 - 1.8.3 Every Provisional Member Congregation is entitled to:
 - 1.8.3.1 receive notice of and attend as a non-voting observer at all Delegate meetings and Special Delegate Meetings;
 - 1.8.3.2 participate in the activities of MCA;
 - 1.8.3.3 have its pastors participate as non-voting members in the MCA Pastors Council;
 - 1.8.3.4 receive counsel and advice from the MCA Executive Minister and MCA General Council; and
 - 1.8.3.5 receive publications and other services provided by MCA, and as per the MCA Policies and Procedures Manual.
 - 1.8.4 Every Provisional Member Congregation retains full privileges of self-determination with respect to its own organization, polity, local ministry and mission projects.
- 1.9 Member Congregations retain full privileges of self-determination with respect to organization, polity, local ministry, and mission projects.

Withdrawal of Membership

- 1.10 Member Congregations will commit to genuine efforts to facilitate reconciliation with MCA – which will include two mediated resolution efforts administered by MCA Executive – prior to initiating steps toward its withdrawal of membership from MCA.
- 1.11 A Member Congregation ceases to be an MCA Member Congregation when:
 - 1.11.1 It has provided the MCA Executive with written confirmation of their intention to withdraw its membership at least six (6) months prior to the Delegate Meeting; and
 - 1.11.2 the request to withdraw their membership has been approved Delegates at a Delegate Meeting in accordance with section 2.10 of these bylaws.

Discipline, Suspension & Termination of Membership

- 1.12 The membership of MCA, by ordinary resolution, shall have authority to discipline, suspend the membership, or terminate the membership of any Member Congregation or Provisional Member Congregation in MCA when a Member Congregation or Provisional Member Congregation:
- 1.12.1 no longer affirms or supports to the Vision, Purpose or Mission of MCA;
 - 1.12.2 no longer affirms or supports to the decisions, recommendations, policies and procedures of MCA;
 - 1.12.3 repeatedly and deliberately violates any provision of the Constitution, By-Laws, or policies of MCA;
 - 1.12.4 participates in conduct which may be detrimental to MCA as determined by an ordinary resolution of the membership of MCA; or
 - 1.12.5 for any other reason that the MCA membership, by ordinary resolution, considers to be reasonable, having regard to the charitable purpose of MCA.
- 1.13 In the event that the MCA membership or MCA Executive determines that a Member Congregation or a Provisional Member Congregation should be disciplined or its MCA membership suspended or terminated, the MCA Executive shall provide twenty (20) days' notice of the discipline, suspension or termination to the Member Congregation or the Provisional Member Congregation along with reasons for the proposed discipline, suspension, or termination. The Member Congregation or Provisional Member Congregation may make written submissions to the MCA Executive in response to the notice received within such twenty (20) day period.
- 1.13.1 In the event that the MCA Executive receives no written submissions, then the MCA Executive may proceed to notify the member that it is disciplined, or its membership is suspended or terminated, subject to the ratification of the MCA congregations.
- 1.14 If written submissions are received in accordance with this section, then the MCA Executive shall notify the MCA congregations of the written submission. The MCA congregations in good standing with MCA will consider such submissions in arriving at a final decision by ordinary resolution, and shall notify the said Member Congregation or Provisional Member Congregation concerning such final decision within a further sixty (60) days from the date of receipt of the submissions.
- 1.14.1 The decision of the MCA congregations shall be final and binding on the Member Congregation or Provisional Member Congregation, without any further right of appeal.
- 1.15 If a Member Congregation is disciplined, suspended, or terminated, it is considered to be "not in good standing" with MCA. A congregation can return to good standing by an ordinary resolution of the Delegates.
- 1.16 Upon any termination of MCA membership, or upon ceasing to be an MCA member, then:
- 1.16.1 the rights and privileges of the Member Congregation or Provisional Member Congregation automatically cease to exist, which includes but is not limited to, any rights or interests in MCA assets; and
 - 1.16.2 the Member Congregation or Provisional Member Congregation is precluded from any claim against:
 - 1.16.2.1 Mennonite Church Alberta

- 1.16.2.2 MCA Directors, Officers, and members; or
- 1.16.2.3 MCA assets and interests.

ARTICLE 2: DELEGATE MEETINGS

- 2.1 A Delegate Meeting must be held annually between March 1 and May 31 of each year and must include the election of MCA Executive, General Council and Standing Committee Members, the consideration of the budget and the presentation of audited or reviewed financial statements, according to 10.8 and 10.9.
- 2.2 The MCA Executive, in consultation with the General Council, will:
 - 2.2.1 Set the agenda for the Delegate Meeting and will ensure that the agenda is circulated to MCA congregations in advance of the Delegate Meeting; and
 - 2.2.2 Determine the location, date and time for the Delegate Meeting. The MCA Executive will also determine when it is appropriate to have a Delegate Meeting occur by video-conference, and it will ensure that the said video-conference meeting is conducted in compliance with these bylaws.
- 2.3 MCA Executive will pre-determine the rules of order for Delegate Meetings and will appoint a parliamentarian to serve at each meeting.
- 2.4 Special Delegate meetings may be called by the MCA Executive. The MCA Executive, in consultation with the General Council, will:
 - 2.4.1 Set the agenda for the Special Delegate Meeting and will ensure that the agenda is circulated to MCA congregations in advance of the Special Delegate Meeting; and
 - 2.4.2 Determine the location, date and time for the Special Delegate Meeting. The MCA Executive will also determine when it is appropriate to have a Special Delegate Meeting occur by video-conference, and it will ensure that the said video conference meeting is conducted in compliance with these bylaws.
- 2.5 Notice of every Delegate Meeting or Special Delegate Meeting must be sent to each Member Congregation at least thirty (30) days and not more than sixty (60) days prior to the date of the Delegate Meeting or the Special Delegate Meeting, giving the date, place and time of the meeting.
 - 2.5.1 If the Delegate Meeting or Special Delegate Meeting will have a motion regarding the bylaws, notice must be at least sixty (60) days and not more than ninety (90) days prior to the date of the Meeting.
 - 2.5.2 Notice of the time and place of a Delegate Meeting or Special Delegate Meeting shall be sent to every Member Congregation and Provisional Congregational Member by the following means:
 - 2.5.2.1 By mail, courier or personal delivery to each Member Congregation entitled to vote at the meeting, during a period of 30 to 90 days before the day on which the meeting is to be held; or

- 2.5.2.2 By telephonic, electronic or other communication facility to each Member Congregation entitled to vote at the meeting, during a period of 30 to 90 days before the day on which the meeting is to be held.
 - 2.5.3 In the event of extenuating circumstances, the date of a Delegate Meeting or Special Delegate Meeting may be delayed by up to 30 days.
- 2.6 Delegate Meetings and Special Delegate Meetings may be conducted:
 - 2.6.1 In Person;
 - 2.6.2 Electronically, that permits: participation by video and/or audio, voting, the identification of participants who seek recognition to speak, and the display of motions, subject to any policies regarding participation in an electronic meeting that the MCA Executive may promulgate;
 - 2.6.3 A combination of in person and electronic means that satisfies the requirements in subsection 2.6.2.
- 2.7 The Moderator of the MCA Executive shall preside at Delegate Meetings and Special Delegate Meetings. If the Moderator of the MCA Executive is absent or is unable or refuses to act, then the Vice-Moderator shall preside at the Delegate Meeting or Special Delegate Meeting.
- 2.8 Voting must be conducted by a show of hands unless a secret ballot is requested by one (1) or more Delegates. Votes may also be by electronic means.
- 2.9 A quorum for a Delegate Meeting or Special Delegate Meeting (unless a greater number of Members is required to be present by the Act) shall consist of a minimum of 15 Delegates representing at least 50% of the Member Congregations entitled to vote at a Delegate Meeting. If a quorum is present at the opening of a Delegate Meeting, the Delegates present may proceed with the business of the Delegate Meeting even if a quorum is not present throughout the Delegate Meeting.
- 2.10 At any Delegate Meeting, every question and ordinary resolution shall, unless otherwise provided by the bylaws or by the Act, be determined by a majority of the votes cast on the resolution. In case of an equality of votes either on a show of hands or on a ballot or on the results of electronic voting, the Chair of the Delegate Meeting in addition to an original vote shall have a second or casting vote.
- 2.11 A Member Congregation may elect or appoint one (1) Delegate per fifteen (15) members or fraction thereof, to all Delegate Meetings and Special Delegate Meetings. Delegates must present their credentials from their congregation to the secretary of MCA.
- 2.12 A Delegate is entitled to carry one (1) written proxy vote. Floor privileges will be extended at the discretion of the chair.

ARTICLE 3: THE REGIONAL CHURCH

- 3.1 Member Congregations will fulfill the vision, mission and purpose of MCA through General Council and various committees. MCA's authority is derived from the Member Congregations and articulated through the Delegates.

ARTICLE 4: PASTORS

- 4.1 MCA is the accredited body that holds the credentials of pastors, chaplains and other credentialed ministers in the Member Congregations, and has the authority to grant or withdraw the credentials of pastors from Member Congregations.
- 4.2 Member Congregations recognize the important role their pastors have in shaping the ministry and health of the congregation and MCA. Member Congregations must:
- 4.2.1 call pastors who are committed to the covenant shared by Member Congregations;
 - 4.2.2 provide opportunities for pastors to study in Anabaptist Mennonite theology and ministry;
 - 4.2.3 provide opportunities for their pastors to participate in MCA ministries such as Delegate Meetings, Pastors Council, and MC Canada meetings and ministries; and
 - 4.2.4 encourage their pastors to participate in the Pastors Council.
- 4.3 MCA recognizes the importance of supporting pastors and congregations. MCA must:
- 4.3.1 provide assistance in the areas of pastoral searches, calling, ordination, reviews, credentialing and de-credentialing.
 - 4.3.2 organize regular opportunities to discuss issues of theology, practice and ministry.

ARTICLE 5: PASTORS COUNCIL

- 5.1 The Pastors Council is an advisory council to MCA.
- 5.2 The Pastors Council consists of:
- 5.2.1 the MCA Executive Minister;
 - 5.2.2 the MCA Ministry Staff;
 - 5.2.3 all pastors and spiritual leaders of Member Congregations;
- 5.3 MCA Member Congregations are expected to encourage their pastors, credentialed individuals, and spiritual leaders to be active participants of the Pastor's Council.
- 5.4 The MCA Executive Minister will serve as the chair the Pastors Council. In the event that the office of the MCA Executive Minister is vacant, then the Congregational Leadership Committee will appoint a chair of the Pastors Council.
- 5.5 The purpose of the Pastors Council is to provide a confidential space where pastors and other spiritual leaders may:
- 5.5.1 discern the leading of the Holy Spirit;
 - 5.5.2 facilitate spiritual enrichment;

- 5.5.3 share concerns and exploring deeper understandings;
 - 5.5.4 develop skills to deal with significant issues within their congregation;
 - 5.5.5 discuss issues of MCA-wide significance and advise MCA leadership on such issues
- 5.6 Pastors Council will meet at least two (2) times in each calendar year. It is recommended, however, that the Pastor's Council meet more often in order to provide ongoing ministry support and to build relationships between participants.
- 5.7 The Pastor's Council may develop its own policies and procedures concerning its meetings and operations.

ARTICLE 6: CONFLICT RESOLUTION

- 6.1 MCA, Member Congregations, and their adherents are expected to address disputes and conflict in a spirit of mutual accountability and submission before Christ. In the event that there is a dispute or controversy among MCA Congregations, the boards of MCA Congregations, the pastor(s) of MCA Congregations or MCA directors, officers, committee members, or volunteers, then the parties in the dispute shall endeavor to resolve it in private meetings by following biblical principles adopting a spirit of Christian love and charity.
- 6.1.1 The parties involved in a dispute may seek support and assistance from the MCA Executive Minister, who may, in turn, seek engagement from Pastors Council and/or the MCA Executive.
 - 6.1.2 If a dispute involves matters determined by MCA Executive to be subject to discipline, suspension, or termination of membership of a member Congregation, the MCA Executive will decide:
 - 6.1.2.1 if steps toward positive resolution will proceed under the procedures outlined in Clause 6.3;
 - 6.1.2.2 if the matter will be referred to the Pastors Council for deliberation outlined in Clause 6.2; or
 - 6.1.2.3 if the matter will be referred to the membership of MCA by ordinary resolution, in accordance with clause 1.12
 - 6.1.3 If a member of MCA Executive is involved in the conflict a neutral third party must be consulted in an attempt to find a resolution.
 - 6.1.4 If an acceptable resolution to a dispute is not found, MCA Executive will facilitate steps toward positive resolution, with the Pastors Council serving as a reference and deliberative body.
 - 6.1.5 Any of the above steps towards resolution may involve outside expertise if necessary
- 6.2 When a dispute involves matters of faith, theological belief, or church practice the Pastors Council shall lead a process of discernment over the matter proceeding as follows:
- 6.2.1 The Pastors Council will engage in a process of discernment over the matter
 - 6.2.2 If the Pastors Council cannot resolve the matter, then the MCA Executive will form an ad hoc group for the purpose of resolving the matter

- 6.2.3 If the ad hoc group cannot resolve the matter, then the issue will be presented at an MCA Delegate Meeting with at least 3 months notice. At that meeting there will be an ordinary motion to initiate a review process which will include the following:
 - 6.2.3.1 a proposed period of study on the particular issues shall be conducted in all MCA Congregations. This period of study shall not exceed one year and shall include one study conference facilitated by either the Pastors Council or the MCA Executive.
 - 6.2.3.2 at the end of the one-year period of study, a decision will be made at a subsequent Annual Delegate Session on each of the following questions:
 - 6.2.3.2.1 Is the stated MCA position on the issue in question basic to who we are as MCA?
 - 6.2.3.2.2 Do we believe that the congregation is holding a position that varies significantly with that adopted by MCA?
 - 6.2.3.2.3 Do we ask the congregation to change its position?
 - 6.2.3.3 If the congregation is asked to change its position, and it chooses not to, the process outlined in clauses 1.12, 1.13, and 1.14 will be initiated

- 6.3 In the event that a dispute or controversy cannot be resolved under the principles outlined in Clause 6.1, then without prejudice to or in any other way derogating from the rights of MCA, MCA Congregations, the boards or pastors of MCA congregations, MCA directors, officers, committee members, employees or volunteers as set out in the By-Laws or the Act, and as an alternative to such person instituting a law suit or legal action, such dispute or controversy shall be settled by a process of dispute resolution as follows:
 - 6.3.1 The dispute or controversy shall first be submitted to a panel of mediators whereby the one party appoints one mediator, the other party (or if applicable the MCA Executive) appoints one mediator, and the two mediators so appointed jointly appoint a third mediator. The three mediators will then meet with the parties in question in an attempt to mediate a resolution between the parties. The parties agree that all proceedings relating to mediation shall be kept confidential and there shall be no disclosure of any kind. The number of mediators may be reduced from three to one or two upon agreement of the parties.
 - 6.3.2 If the parties are not successful in resolving the dispute through mediation, then the MCA Executive will make a decision as to whether the matter will continue under the provisions of this clause, be referred to Pastors Council, or in matters of discipline, suspension of membership, or termination of membership be referred to the membership of MCA by ordinary resolution, in accordance with clause 1.12
 - 6.3.3 If the MCA Executive determines the matter will be resolved under the provision of this clause, the parties agree that the dispute shall be settled by arbitration before a single arbitrator, who shall not be any one of the mediators referred to above, and in accordance with the provincial legislation governing domestic arbitrations in force Alberta. The parties agree that all proceedings relating to arbitration shall be kept confidential and there shall be no disclosure of any kind. The decision of the arbitrator shall be final and binding and shall not be subject to appeal on a question of fact, law, or mixed fact and law.

- 6.3.4 All costs of the mediators appointed in accordance with this section shall be borne equally by the parties to the dispute or the controversy. All costs of the arbitrators appointed in accordance with this section shall be borne by such parties as may be determined by the arbitrators.

ARTICLE 7: ADMINISTRATIVE BODIES OF MCA

- 7.1 The Administrative Bodies of MCA in terms of their priority and authority are:
 - 7.1.1 The MCA Executive
 - 7.1.2 General Council
 - 7.1.3 Pastors Council
 - 7.1.4 Standing Committees
 - 7.1.5 Ad Hoc Committees

- 7.2 Upon receiving a recommendation from a Member Congregation, a member of a Member Congregation may serve in an appointed or elected position on:
 - 7.2.1 the MCA Executive,
 - 7.2.2 the MCA General Council, and/or
 - 7.2.3 Mennonite Church Canada.

- 7.3 Upon receiving a recommendation from a Member Congregation, an adherent or member of a Member Congregation may serve in an appointed or elected position on:
 - 7.3.1 an MCA Standing Committee, and/or
 - 7.3.2 an MCA Ad Hoc Committee.

- 7.4 An adherent or member of a Provisional Member Congregation may not serve in an appointed or elected position on:
 - 7.4.1 the MCA Executive,
 - 7.4.2 the MCA General Council,
 - 7.4.3 an MCA Standing Committee,
 - 7.4.4 an MCA Ad Hoc Committee, or
 - 7.4.5 Mennonite Church Canada.

**The MCA Executive
Election and Term**

- 7.5 The directors of MCA shall constitute the MCA Executive. The MCA Executive shall have a minimum of four (4) directors and a maximum of twelve (12) directors.

- 7.6 The Delegates will strive to elect a minimum of one (1) director at every Delegate Meeting at which an election of directors is required, and the directors shall be elected to hold office for a term of two (2) years and expiring not later than the close of the third Delegate Meeting following the election of the director. Directors must receive a 2/3-majority vote to be elected. A director may be re-elected for up to three (3) consecutive terms for a total of six (6) years.

- 7.7 All directors must:
- 7.7.1 affirm and support the vision, mission and purpose of MCA;
 - 7.7.2 affirm and support the Confession of Faith in a Mennonite Perspective, as set forth in the Affirmation of Faith above
 - 7.7.3 be a member of a Member Congregation;
 - 7.7.4 subscribe and adhere to MCA decisions, recommendations, policies and procedures;
 - 7.7.5 subscribe and adhere to the decisions, recommendations, policies and procedures of the MCA Executive;
 - 7.7.6 be at least 18 years of age;
 - 7.7.7 not be convicted of a criminal offence, unless the majority of the directors agree that the offense is not sufficiently serious to warrant exclusion from the MCA Executive;
 - 7.7.8 not be the member of a secret society or criminal organization; and
 - 7.7.9 cooperate in the pursuit of the objectives and purposes of MCA.
- 7.8 The office of a director shall be vacated if the director:
- 7.8.1 is removed from office by ordinary resolution passed by MCA Congregations;
 - 7.8.2 breaches matters that are determined by the MCA Executive to be confidential;
 - 7.8.3 is declared mentally incompetent;
 - 7.8.4 is convicted of a criminal offence and the majority of the directors agree that the offence is sufficiently serious to warrant dismissal;
 - 7.8.5 resigns by written notice to the MCA Executive; or
 - 7.8.6 is absent from three consecutive meetings of the MCA Executive without a reasonable excuse or without the MCA Executive's written approval or is absent from more than one-half (1/2) of the meetings of the MCA Executive in each and every twelve (12)-month period following his/her appointment.
- 7.9 The directors may appoint one or more directors, who shall hold office for a term expiring not later than the close of the next Delegate Meeting, but the total number of directors so appointed may not exceed one-third of the total number of directors elected.
- 7.10 Directors shall serve without remuneration, and no director shall directly or indirectly receive any profit from his or her position as such, provided that a director may be reimbursed for reasonable expenses incurred in the performance of his or her duties. A director shall not be prohibited from receiving compensation for services provided to MCA in another capacity.

Duties of the Directors

- 7.11 The duties and responsibilities of the MCA Executive include the following:
- 7.11.1 The MCA Executive shall constitute the policy-making body of MCA and be responsible to govern all MCA ministry activities and business affairs to ensure that the MCA vision, purpose and mission are fulfilled.
 - 7.11.2 The MCA Executive shall have full authority and responsibility for the governance of the entire ministry of MCA, and it is fully accountable to the MCA Congregations at the Delegate Meeting or Special Delegate Meeting.

- 7.11.3 The MCA Executive shall be the final authority in matters of business and in interpretation of the MCA constitution and bylaws between Delegate Meetings and / or Special Delegate Meetings.
- 7.11.4 Upon confirmation by the MCA Congregations by ordinary resolution, the MCA Executive may from time to time:
 - 7.11.4.1 borrow money on the credit of MCA;
 - 7.11.4.2 issue, reissue, sell, pledge, or hypothecate debt obligations of MCA;
 - 7.11.4.3 mortgage, hypothecate, pledge or otherwise create a security interest in all or any property of MCA, owned or subsequently acquired, to secure any debt obligation of MCA; and/or
 - 7.11.4.4 sell MCA property, including land;
- 7.11.5 Clause 7.11.4 is on the condition that MCA does not incur debt for anything except current operating expenses, the purchase and sale of investments, and the administration of the charitable purposes of MCA. In undertaking these activities, MCA will comply with the provisions of the Act.
- 7.11.6 With a view to furthering the purposes of MCA and without limiting any other power, the MCA Executive, on behalf of MCA, shall have the power to:
 - 7.11.6.1 conduct the affairs of MCA and, in particular, to have full charge of the maintenance and administration of the developed and developing projects;
 - 7.11.6.2 obtain insurance in force covering fire, comprehensive liability, and such other insurable items in such amounts as the directors may require;
 - 7.11.6.3 enter into contracts, commitments, arrangements, agreements on behalf of MCA;
 - 7.11.6.4 employ and hire agents and employees of MCA and to fix their remuneration. The appointment of the MCA Executive Minister and the MCA Ministry Staff shall be subject to the ratification of a majority of directors of the MCA Executive;
 - 7.11.6.5 engage in fundraising activities to further the objects of MCA, provided that no appeal or solicitation for funds shall be undertaken without the prior consent of the majority of MCA Congregations;
 - 7.11.6.6 recommend a non-affiliated auditor semi-annually in even numbered years to be ratified at the Delegate Meeting;
 - 7.11.6.7 appoint an archivist for MCA;
 - 7.11.6.8 appoint ad hoc committees to fulfill specific purposes and for a specified period of time
 - 7.11.6.9 appoint directors of the MCA Executive to serve as representatives of the MCA Executive on Boards of affiliated organizations, such as the Canadian Mennonite or Canadian Mennonite University (CMU);
 - 7.11.6.10 be involved in the conflict resolution process, referred to in ARTICLE 6: of these bylaws;
 - 7.11.6.11 develop and implement policies and procedures to assist in the administration of MCA; and
 - 7.11.6.12 develop and implement policies and procedures to assist in the administration of the MCA Executive.

7.11.7 The MCA Executive will appoint a director to be their representative on the following committees and/or boards:

7.11.7.1 the RJC Board;

7.11.7.2 the Community Building and Program Committee;

7.11.7.3 the Nominating Committee;

Calling of Meetings

7.12 Meetings of the MCA Executive may be called by the Moderator, the Vice-Moderator, or a majority of the members of the MCA Executive.

7.13 The MCA Executive will meet no less than four times per year. Such meetings may occur by video-conference.

Notice of Meeting

7.14 Notice of the time and place for the holding of a meeting of the MCA Executive shall be given in the manner provided by telephonic, electronic, or other communication facility to every MCA director not less than seven (7) days before the time when the meeting is to be held. Notice of a meeting shall not be necessary if all of the directors are present, and none objects to the holding of the meeting, or if those absent have waived notice of or have otherwise signified their consent to the holding of such meeting.

7.15 Notice of an adjourned meeting is not required if the time and place of the adjourned meeting is announced at the original meeting. Unless this bylaw otherwise provides, no notice of meeting need specify the purpose or the business to be transacted at the meeting.

Regular Meetings

7.16 The MCA Executive may appoint a day or days in any month or months for regular meetings of the MCA Executive at a place and hour to be named. A copy of any resolution of the fixing the place and time of such regular meetings of the MCA Executive shall be sent to each director forthwith after being passed, but no other notice shall be required for any such regular meeting. Such regular meetings may occur by video conference.

Votes to Govern

7.17 At all meetings of the MCA Executive, every question shall be decided by a majority of the votes cast on the question. In case of an equality of votes, the MCA Moderator, in addition to an original vote, shall have a second or casting vote.

7.18 Votes may be by voice, raise of hands, electronic means, or other means pre-approved by MCA Executive prior to the meeting/decision being voted on.

MCA Executive Ad Hoc Committees

- 7.19 The MCA Executive may, from time to time, appoint any ad hoc committee or other advisory body, as it deems necessary or appropriate for such purposes and with such powers as the MCA Executive shall see fit.
- 7.20 An ad hoc committee will follow the bylaw provisions below that apply to ad hoc committees

Officers of MCA Election and Term

- 7.21 The officers of MCA shall include the following:
- 7.21.1 Moderator,
 - 7.21.2 Vice Moderator,
 - 7.21.3 Secretary, and
 - 7.21.4 Finance Chair
- 7.22 The MCA Executive will elect the officers to hold office for a term of two (2) years and expiring not later than the close of the third Delegate Meeting following the election of the officers. An officer may be re-elected for up to three (3) consecutive terms for a total of six (6) years.
- 7.23 All officers must:
- 7.23.1 affirm and support the vision, mission and purpose of MCA;
 - 7.23.2 affirm and support the Confession of Faith in a Mennonite Perspective, as set forth in the Affirmation of Faith above
 - 7.23.3 be a member of a Member Congregation;
 - 7.23.4 be an MCA director;
 - 7.23.5 subscribe and adhere to MCA decisions, recommendations, policies and procedures;
 - 7.23.6 subscribe and adhere to the decisions, recommendations, policies and procedures of the MCA Executive;
 - 7.23.7 be at least 18 years of age;
 - 7.23.8 not be convicted of a criminal offence, unless the majority of the Directors agree that the offense is not sufficiently serious to warrant exclusion from the officer position by the MCA Executive;
 - 7.23.9 not be the member of a secret society or criminal organization; and
 - 7.23.10 cooperate in the pursuit of the objectives and purposes of MCA.
- 7.24 The position of an officer shall be vacated if the officer:
- 7.24.1 is removed from office by ordinary resolution passed by MCA Congregations;
 - 7.24.2 breaches matters that are determined by the MCA Executive to be confidential;
 - 7.24.3 is declared mentally incompetent;
 - 7.24.4 is convicted of a criminal offence and the majority of the directors agree that the offence is sufficiently serious to warrant dismissal;
 - 7.24.5 resigns by written notice to the MCA Executive; or

- 7.24.6 is absent from three consecutive meetings of the MCA Executive without a reasonable excuse or without the MCA Executive's written approval or is absent from more than one-half (1/2) of the meetings of the MCA Executive in each and every twelve (12)-month period following his/her appointment.
- 7.25 In the absence of a written agreement to the contrary, the MCA Executive may remove, whether for cause or without cause, any officer of MCA. Unless so removed, an officer shall hold office until the earlier of:
 - 7.25.1 the officer's successor being appointed;
 - 7.25.2 the officer's resignation;
 - 7.25.3 such officer ceasing to be a director; or
 - 7.25.4 such officer's death.
- 7.26 If the office of any officer of MCA shall be or become vacant, the directors may, by resolution, appoint a person to fill such vacancy.
- 7.27 MCA officers shall serve without remuneration, and no officer shall directly or indirectly receive any profit from his or her position as such, provided that an officer may be reimbursed for reasonable expenses incurred in the performance of his or her duties. An officer shall not be prohibited from receiving compensation for services provided to MCA in another capacity.

Description of the Offices and Duties:

- 7.28 The offices of MCA -- unless otherwise specified by the MCA Executive which may modify, restrict or supplement such duties and powers -- shall have the following duties and powers associated with their positions:
 - 7.28.1 **Moderator** - The Moderator of the MCA Executive shall be a director of MCA, and shall, when present, preside at all MCA Executive meetings, Delegate Meetings and General Council Meetings. The Moderator shall have such other duties and powers as the MCA Executive may specify, including but not limited to:
 - 7.28.1.1 being one of the signing authorities of MCA;
 - 7.28.1.2 serving on the MCA Personnel Committee;
 - 7.28.1.3 serving on the Joint Council of Mennonite Church Canada; and
 - 7.28.1.4 promoting engagement between MCA Congregations and MCA.
 - 7.28.2 The Moderator may implement policies and procedures concerning the operation of this office.
 - 7.28.3 **Vice-Moderator** - The Vice-Moderator of MCA shall be a director of MCA. If the Moderator of the MCA Executive is absent or is unable or refuses to act, the Vice-Moderator shall preside at all meetings of the MCA Executive meetings, Delegate Meetings and General Council Meetings. The Vice-Moderator shall have such other duties and powers as the MCA Executive may specify, including but not limited to:
 - 7.28.3.1 being one of the signing authorities of MCA;
 - 7.28.3.2 exercising the duties and powers of the Moderator during a period of time when the Moderator is absent or unable to function in his duties; and

- 7.28.3.3 performing such duties and exercising such powers as the Moderator may delegate or that the MCA Executive may prescribe.
- 7.28.4 The Vice-Moderator may implement policies and procedures concerning the operation of this office
- 7.28.5 **Secretary** – The Secretary of the MCA Executive shall be a director of MCA. The Secretary shall have such other duties and powers as the MCA Executive may specify, including but not limited to:
 - 7.28.5.1 attending and being the Secretary of all meetings of the MCA Executive, Delegate, and General Council meetings;
 - 7.28.5.2 entering or causing to be entered in the MCA’s minute book, minutes of all proceedings at such meetings. In doing so, Secretary will follow the requirements of the Act.
 - 7.28.5.3 giving, or causing to be given, as and when instructed, notices to MCA Congregations, MCA directors and officers, the MCA accountant, members of MCA committees, the members of the MCA General Council, and the members of the MCA Standing Committees. In doing so, the Secretary will follow the requirements of the Act;
 - 7.28.5.4 being one of the signing authorities of MCA;
 - 7.28.5.5 being the custodian of all books, papers, records, documents, corporate seal, and other instruments belonging to MCA. In doing so, the Secretary will follow the requirements of the Act;
 - 7.28.5.6 maintaining a current roster of MCA Congregations, their delegates, pastors, board members, clerks, and treasurers. In doing so, the Secretary will follow the requirements of the Act;
 - 7.28.5.7 preparing and maintaining a list of Member Congregations and their Delegates in attendance at MCA Delegate Meetings. In doing so, the Secretary will follow the requirements of the Act; and
 - 7.28.5.8 performing such other duties as prescribed by the Moderator.
- 7.28.6 The Secretary may implement policies and procedures concerning the operation of this office
- 7.28.7 **The Finance Chair** - The Finance Chair of the MCA Executive shall be a director. The Finance Chair shall have such powers and duties as the Leadership Board may specify, and shall include the following:
 - 7.28.7.1 being one of the signing authorities of MCA;
 - 7.28.7.2 serving as Chair of the Finance Committee;
 - 7.28.7.3 distributing and presenting the financial statements and budget of MCA;
 - 7.28.7.4 implementing financial transactions prepared by the MCA Executive.
- 7.28.8 The Finance Chair may implement policies and procedures concerning the operation of this office

Execution of Instruments

- 7.29 Only members of the MCA Executive, who are also officers, are entitled to sign on behalf of MCA. In doing so, the MCA Executive will follow the requirements of the Act.

- 7.29.1 All deeds, transfers, contracts, engagements, bonds, debentures, and other instruments requiring execution by MCA shall require a minimum of two (2) signatures.
- 7.29.2 For other documents requiring execution by MCA the number of signees will be determined by MCA Executive.
- 7.29.3 Where the affixing of the MCA corporate seal is requisite, it shall be affixed by:
 - 7.29.3.1 the MCA Moderator or MCA Vice-Moderator; and
 - 7.29.3.2 any one (1) other MCA director who is also an officer.
- 7.29.4 Except as aforesaid or as otherwise provided in the MCA bylaws, no MCA officer, agent or employee shall have any power to bind MCA by any contract or engagement or to pledge MCA credit.

General Council

- 7.30 The General Council shall serve as an advisory council to the MCA Executive, the Standing Committees, and the Ad Hoc Committees. The MCA Executive Minister is an ex-officio member of the General Council.
- 7.31 The General Council will meet not less than two (2) times per year. General Council meetings must be held within two (2) months prior to a Delegate Meeting and within two (2) months after a Delegate Meeting. Additional meetings may be called by the Moderator or by any three (3) General Council members.
- 7.32 The duties and responsibilities of the General Council include the following:
 - 7.32.1 implementing decisions made at Delegate Meetings and Special Delegate meetings, and providing administrative assistance related to the same;
 - 7.32.2 collaborating with and supporting the work of standing and ad hoc committees;
 - 7.32.3 advising the MCA Executive in the development of all policies and procedures;
 - 7.32.4 serving as the central coordinating body of MCA; and
 - 7.32.5 reviewing and proposing the program, budget, and resolutions to be presented at Delegate Meetings.
- 7.33 Any member of General Council may be removed from office by a majority (50% plus one) vote of the remaining members.
- 7.34 The MCA Executive will develop policies and procedures concerning the administration and operation of the General Council.
- 7.35 Members of the General Council shall serve without remuneration, and no General Council member shall directly or indirectly receive any profit from his or her position as such, provided that a General Council member may be reimbursed for reasonable expenses incurred in the performance of their duties. A General Council member shall not be prohibited from receiving compensation for services provided to MCA in another capacity.

Standing Committees

- 7.36 Standing Committees will assist MCA and the MCA Executive in fulfilling the vision, purpose, and mission of MCA.
- 7.37 At the Delegate meeting, the MCA Congregations will elect the members of every Standing Committee. Every Standing Committee member may hold office for a term of two (2) years and expiring not later than the close of the third Delegate Meeting following the election of the officers. A Standing Committee member may be re-elected for up to three (3) consecutive terms for a total of six (6) years.
- 7.38 An individual may only serve on one standing committee at a time;
- 7.39 Standing committees are responsible for internal organization and administration of the committee, including the election of a chair;
- 7.40 Every chair of a Standing Committee must regularly submit copies of all meeting documents, including correspondence and meeting minutes to the MCA Secretary. The submission of committee documents must occur not less than twice a year.
- 7.41 The MCA Executive will develop policies and procedures concerning the administration and operation of Standing Committees. Standing Committee meetings may occur by video-conference.
- 7.42 Members of Standing Committees shall serve without remuneration, and no Standing Committee member shall directly or indirectly receive any profit from his or her position as such, provided that a Standing Committee member may be reimbursed for reasonable expenses incurred in the performance of their duties. A Standing Committee member shall not be prohibited from receiving compensation for services provided to MCA in another capacity.

Ad Hoc Committees

- 7.43 Ad hoc Committees will assist the MCA Executive in fulfilling the duties and responsibilities of the MCA Executive.
- 7.44 The MCA Executive will elect the members of every Ad hoc Committee. Every Ad hoc Committee member may hold office for a term of two (2) years. The MCA Executive may re-elect an Ad hoc committee member for up to three (3) consecutive terms for a total of six (6) years.
- 7.45 An individual may only serve on one ad hoc committee at a time.
- 7.46 The MCA Executive is responsible for the internal organization and administration of an ad hoc committee, including the election of a chair.

- 7.47 Every chair of an Ad hoc Committee must regularly submit copies of all meeting documents, including correspondence and meeting minutes to the MCA Secretary. The submission of committee documents must occur not less than twice a year.
- 7.48 The MCA Executive will develop policies and procedures concerning the administration and operation of Ad hoc Committees. Ad hoc Committee meetings may occur by video conference.
- 7.49 Members of Ad hoc Committees shall serve without remuneration, and no Ad hoc Committee member shall directly or indirectly receive any profit from his or her position as such, provided that an Ad hoc Committee member may be reimbursed for reasonable expenses incurred in the performance of their duties. An Ad hoc Committee member shall not be prohibited from receiving compensation for services provided to MCA in another capacity.

ARTICLE 8: HOLDING PROPERTY

- 8.1 All MCA property must be held in the name of MCA. This includes real estate, monies, other properties, legacies and donations held in trust and to be used by MCA.

ARTICLE 9: BORROWING

- 9.1 The MCA Executive may borrow money secured against the assets of MCA for the purpose of carrying out the work of MCA. Borrowing must be authorized by a resolution duly passed at a Delegate Meeting. In doing so, the MCA Executive will follow the requirements of the Act.

ARTICLE 10: FINANCIAL AND CORPORATE

- 10.1 The fiscal year of MCA is January 1st to December 31st.
- 10.2 Financial procedures must follow the Generally Accepted Accounting Principles (GAAP) of Canada.
- 10.3 Financial records and accounts of MCA must be kept under the direction of the Finance Chair in a location authorized by the MCA Executive.
- 10.4 If a Member Congregation wishes to inspect the financial records and accounts, the process is as follows:
- 10.5 The Member Congregation must appoint an authorized representative to complete the inspection
- 10.5.1 The Member Congregation must request the inspection in writing to the MCA Moderator
 - 10.5.2 The MCA Moderator will review the request and determine an appropriate response within sixty (60) days. The request may be approved, approved in part, or denied.
 - 10.5.3 If the request is approved, the MCA Moderator will arrange for the appropriate documents to be made available to the authorized representative.
 - 10.5.4 Any costs incurred from the inspection will be paid by the requesting Member Congregation

- 10.6 Signing authorities of MCA include the directors of the MCA Executive who are also officers. The MCA Executive may grant very limited signing authority to MCA staff or members of the General Council as necessary. In doing so, the MCA Executive will follow the requirements of the Act.
- 10.7 All payments, including but not limited to electronic transfers, cheques, wire transfers, and bank drafts shall be authorized by at least two MCA signing authorities.
- 10.8 Delegates of Member Congregations will appoint a non-affiliated auditor(s) semi-annually in even numbered years for the purpose of auditing the accounts of MCA.
- 10.9 The MCA Executive will arrange an internal review of the accounts of MCA on a semi-annual basis, in odd numbered years, by a person who:
- 10.9.1 has not served on the MCA Finance Committee in the previous 3 years; and
 - 10.9.2 was not an MCA signing authority in the two (2) years prior to the said internal review.
- 10.10 The invalidity or unenforceability of any provision of this bylaw shall not affect the validity or enforceability of the remaining provisions of this bylaw.
- 10.11 The accidental omission to give any notice to any MCA Congregation, MCA director, MCA officer, member of MCA General Council, Standing Committee, or Ad hoc Committee, or the non-receipt of any notice by any such person where MCA has provided notice in accordance with the bylaws or any error in any notice not affecting its substance shall not invalidate any action taken at any meeting to which the notice pertained or otherwise founded on such notice.

ARTICLE 11: DIRECTORS AND OFFICERS INDEMNIFICATION

- 11.1 MCA shall, to the extent legally permissible, indemnify each person who may serve or who has served at any time as an officer or director, of MCA against all expenses and liabilities, including, without limitation, counsel fees, judgments, fines, excise taxes, penalties and settlement payments, reasonably incurred by or imposed upon such person in connection with any threatened, pending or completed action, suit or proceeding in which he or she may become involved by reason of his or her service in such capacity; provided that no indemnification shall be provided for any such person with respect to any matter as to which he or she shall have been finally adjudicated in any proceeding not to have acted in good faith in the reasonable belief that such action was in the best interests of MCA; and further provided that any compromise or settlement payment shall be approved by a majority vote of a quorum of directors who are not at that time parties to the proceeding.
- 11.2 The indemnification provided hereunder shall inure to the benefit of the heirs, executors and administrators of persons entitled to indemnification hereunder. The right of indemnification under this Article shall be in addition to and not exclusive of all other rights to which any person may be entitled.

ARTICLE 12: AMENDMENTS

- 12.1 This Constitution and Bylaws may be amended, rescinded (in whole or in part), or replaced by a Special Resolution with a seventy-five percent (75%) majority vote of the Delegates present at a duly constituted Delegate Meeting.
- 12.2 Notice of any proposed amendments, rescission or replacement must be submitted to the Member Congregations at least sixty (60) days and not more than one hundred fifty (150) days prior to the date of the Delegate Meeting or Special Delegate Meeting, giving the date, place and time of the meeting where such Bylaw or Constitutional amendments are to be presented for approval.

ARTICLE 13: DISSOLUTION

- 13.1 In the event that MCA is dissolved or liquidated, and if there is any property remaining after all debts have been paid and obligations have been discharged, such surplus property shall be distributed to registered Canadian charities that are:
- 13.1.1 devoted to Christian evangelism, charitable, or educational purposes, and
 - 13.1.2 have Mennonite programs and affiliation.