

44. Litigation

1. Under the Act of Incorporation of the Diocese, the Churchwardens shall be “as a corporation”, with the power to sue and be sued in a representative capacity.
2. Any Parish or other ecclesiastical entity in the Diocese that is contemplating commencing litigation against anyone for any reason shall consult with the Incumbent, the Bishop and the Chancellor before commencing such litigation.
3. In the event that any legal proceedings of any kind are initiated against the Churchwardens in a representative capacity or against any other ecclesiastical entity in the Diocese, they or it shall provide full particulars to the Incumbent, the Bishop and the Chancellor as soon as practicable, even if the matter is covered by insurance.
4. In the event that any Parish or other ecclesiastical entity in the Diocese is alleged to have committed an offence under any federal or provincial statute or regulation or under any municipal by-law, the Churchwardens shall provide full particulars to the Incumbent, the Bishop and the Chancellor as soon as practicable.
5. In the event that the Bishop commences litigation in the name of the Diocese against anyone, or in the event that any legal proceedings of any kind are commenced against the Diocese, the Bishop and the Chancellor shall provide full particulars to the Diocesan Council or the Diocesan Sub-Council as soon as practicable.