

**THE BISHOP AND CHAPTER OF THE
CATHEDRAL OF CHRIST CHURCH
IN THE CITY AND DIOCESE OF
FREDERICTON**

CATHEDRAL RESTORATION TRUST FUND



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A BY-LAW RESPECTING THE CATHEDRAL RESTORATION TRUST FUND

1. In this By-law

“Bishop” means the Bishop of Fredericton;

“Cathedral” means Christ Church Cathedral in Fredericton, New Brunswick;

“Chapter” means The Bishop and Chapter of the Cathedral of Christ Church in the City and Diocese of Fredericton as continued by the Anglican Church Act 2003;

“Committee” means the Restoration Committee established under section 6;

“Fabric” means the roof, interior and exterior walls, windows (including casements, sashes, stone tracery, stained and other glass and material used to hold the glass in place), floors, exterior doors, supporting structural elements, sprinkler system, decorated portions of the sanctuary and nave walls, carved or decorated architectural elements and sculptural items (both interior and exterior), ecclesiastical furnishings and fittings, mechanical clock above the crossing and its related fittings, steeple bells and their associated mechanisms, and steeple, of the Cathedral, but does not include portions of the Cathedral described in section 5;

“Fund” means the Restoration Trust Fund;

“Undesignated Gifts” means gifts and bequests to the Chapter that the donor or testator does not restrict to a specific purpose or to the use of income only but does not include offerings of the Cathedral congregation for operating expenses or for a specific purpose other than the maintenance, repair or restoration of the Fabric.

2. The Fund shall consist of

- (a) assets held in or for the Fund when this By-law comes into force,
- (b) gifts and bequests to the Chapter that the donor or testator directs be used for the maintenance, repair or restoration of the Fabric,
- (c) Undesignated Gifts that the Chapter does not direct to another purpose,
- (d) income earned by the Fund, and
- (e) assets that the Chapter transfers to the Fund.

3. The Fund shall be invested in the Diocesan Consolidated Investment Fund of the Diocese of Fredericton unless the Chapter determines otherwise.

4. It is declared that the Fund is a trust of which the Chapter is the trustee, the income and capital of which is to be used only to maintain, repair or restore the Fabric.

5. Neither the capital nor the income earned by the Fund shall be used to maintain, repair, restore or replace the Cathedral electrical, heating, air conditioning, plumbing or sound systems, the pews, washrooms, organ and other musical instruments, or to repair or paint the interior walls of the Cathedral except the decorated portions of the walls in the sanctuary and the nave, or for any other part of the Cathedral not included in the definition of Fabric in section 1.
6. There shall be a Restoration Committee consisting of the Lay Chair of the Chapter, the Chair of the Chapter's Property Committee, the Dean of Fredericton and three members who may, but need not, be members of the Chapter, appointed by the Chapter. The appointed members of the Committee shall serve for a term of three years or until their successors are appointed. The Committee shall appoint a chairperson and a secretary from among its members.
7. The Chapter shall manage and direct the Fund but expenditures from the Fund shall be governed by sections 8 to 12.
8. No expenditure from the Fund shall be made that is contrary to the agreement between the Chapter and Her Majesty the Queen in right of Canada dated March 23, 1996 for the preservation of the Cathedral as a National Historic Site.
9. The Committee shall monitor the condition of the Fabric and shall recommend to the Chapter expenditures for maintaining, repairing and restoring the Fabric.
10. The Chapter shall consider the Committee's recommendations and may authorize or refuse to authorize a proposed expenditure.
11. The Chapter shall not refuse to authorize a proposed expenditure unless it has met with the Committee to discuss the matter.
12. If the Chapter authorizes an expenditure its decision shall be submitted to the Bishop and no expenditure shall be made without the Bishop's written approval.
13. If the Cathedral is irreparably damaged or destroyed and is not replaced the assets in the Fund shall be paid to the Diocesan Synod of Fredericton to be used, with the Bishop's approval, to maintain, repair and restore the Fabric of other Anglican churches in the Diocese of Fredericton.
14. The Chapter shall not repeal or amend this By-law unless the amendment or repeal is
 - (a) recommended by the Committee, and
 - (b) approved by a Special Meeting of the Cathedral Congregation called for the purpose.
15. No amendment or repeal of this By-law is effective until it is approved in writing by the Bishop.
16. The definition of Fabric in section 1 and sections 4 and 5 may not be amended.

Adopted by the Chapter on 18 May 2020