

# PARISH JOHN XXIII

## BY-LAWS

### *Preliminary Remark:*

*All official positions or functions are referred to using the masculine form (he, his, etc.), but may of course also be occupied by women, with the exception of those restricted to ordained clergy.*

### I. INTRODUCTION

These By-Laws fulfill two purposes: 1) to implement and clarify the details of certain provisions of the Statutes; and 2) to set forth procedures for conducting the business of the General Assembly and the Parish Administrative Council . These By-Laws must be read with the Statutes: The Statutes are the text of reference; the By-Laws complete them.

These By-Laws can be amended or revised by the General Assembly. Proposals for amendments or revisions may be made by the Pastor, the Parish Administrative Council, or at least 20 members of the Association. In the latter case, the Parish Administrative Council will first review the proposals and may meet with the members concerned with a view to arriving at a jointly agreed proposal. Proposed amendments or revisions have to be approved by the Episcopal Vicariate before being submitted to the General Assembly. Amendments and revisions to the By-Laws will be approved by simple majority of voting members, in accordance with Article 11.3 of the Statutes.

In the case of a discrepancy between the Statutes and these By-Laws, the Statutes shall prevail.

### II. MEMBERSHIP IN THE POPE JOHN XXIII PARISH ASSOCIATION (the "Association")

Membership in the Association is governed by Articles 4 and 5 of the Statutes.

Membership in the Association requires registration with the Parish office. Parishioners leaving the Geneva area permanently should inform the Parish office. The Parish will terminate a membership *ex officio* when it is satisfied that a member has left Geneva or its border areas permanently.

In accordance with Article 4.2 of the Statutes, exceptions to the criteria for membership may be permitted for persons of another confession. Requests for admission should be submitted to the Parish Administrative Council, which will decide together with the Pastor and the pastoral team. The Parish Administrative Council may invite the applicant to a meeting to discuss his request.

### III. GENERAL ASSEMBLY

- 1) **TIME REQUIREMENT.** Only members of the Association who have registered their membership 30 days before a meeting of the General Assembly (hereinafter “voting members”) will have the right to vote and the other rights specifically referred to in this section.
- 2) **ADOPTION OF THE AGENDA.** Following publication of the proposed Agenda for a scheduled meeting of the General Assembly in accordance with the Statutes, Article 8.3, proposed additions or amendments to the provisional agenda shall be received by the Parish office at the latest 7 days before the meeting (Statutes, Article 9.1) the . The Parish office will post such proposals on the Parish web site. The President may request that the proposals be seconded. The adoption of the agenda will be the first item of business of the General Assembly. Proposed additions or amendments received after the prescribed date shall not be taken into consideration.
- 3) **PRESIDENT.** The President or the Vice-President when presiding shall, in addition to exercising the powers which are conferred elsewhere by these By-Laws, declare the opening and closing of each meeting of the General Assembly, shall direct the discussions, ensure observance of these By-Laws, accord the right to speak, put questions to the Assembly and announce decisions. He shall rule on points of order, and, subject to these By-Laws, shall control and maintain order. If the President resigns or for any other reason ceases to exercise his functions, the Vice-President will preside until the next regular General Assembly, which will elect a new President for a full term of office in accordance with Article 16.1 of the Statutes.
- 4) **DEBATE ON AGENDA ITEMS.** The President will endeavor to call upon speakers in the order in which they signify their desire to speak. Members wishing to address the General Assembly shall wait to be recognized by the President and shall stand and introduce themselves. The President may call a speaker to order if his remarks are not relevant to the subject under discussion. Participants will address their remarks to the President, refrain from offensive remarks and respect the dignity of the General Assembly and the other participants.
- 5) **PROPOSALS.** Proposals for adoption or approval by the General Assembly may be presented by the Parish Administrative Council, the Parish Pastoral Council or any voting member of the Association. In the case of proposals by members, the President may request a second in order to have the proposal considered by the General Assembly. In the case of two or more proposals on the same agenda item on the same point, the General Assembly will vote on them in the order in which they are submitted unless the result of a vote on a proposal makes unnecessary any other vote on the proposal or proposals still outstanding. A proposal may be withdrawn by its author at any time before voting on it has commenced. A proposal thus withdrawn may be reintroduced by any other member.

6) AMENDMENTS.

- a) Voting members may raise amendments to proposals under consideration. The President may request a second in order to have an amendment considered by the General Assembly.
- b) When an amendment to a proposal is moved, the amendment shall be voted on first.
- c) When two or more amendments to a proposal are moved, the General Assembly shall first vote on the amendment which the President considers to be furthest removed in substance from the original proposal, and then on the amendment he considers to be next removed therefrom, and so on, until all the amendments have been put to the vote. Where the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote.
- d) If one or more amendments are adopted, the amended proposal shall then be voted upon.
- e) If an amendment to a proposal has been accepted by the original author, such an amendment shall be deemed to be an integral part of the original proposal and no separate vote shall be required. A proposal can be modified or corrected by its author and that will not constitute an amendment.

7) POINTS OF ORDER. Any voting member may raise a point of order and the point shall be immediately ruled upon by the President. A point of order is a request directed to the President relating, for example, to the manner in which the debate is being conducted, to the maintenance of order, to the observance of the relevant procedures, or to the way in which the President exercises his powers. A voting member raising a point of order may not speak on the substance of the matter under discussion, but only on the point of order. The President's ruling shall address only the point of order and shall be final.

8) PROCEDURAL MOTIONS. The following motions shall be immediately submitted to the General Assembly for decision:

- a) Suspension or adjournment of the General Assembly;
- b) Postponement indefinitely of an agenda item or proposal under consideration;
- c) Closing the debate on an agenda item and proceeding immediately to a vote on the proposals submitted until then on that item;
- d) Reconsideration at the same session of a proposal already approved or rejected by the General Assembly.

In the case of two or more motions, they shall be decided in the order set forth above. Motions under (d) above shall require a two-thirds majority to be adopted.

- 9) DECISIONS. If a matter is submitted to the General Assembly for a vote, the majority will be calculated on the basis of the valid votes in favor or against the proposal as indicated by a show of hands unless otherwise provided in the Statutes (Article 11.3). Abstentions will not be considered. Only voting members of the Association may vote. The Parish secretariat will distribute a badge or a paper as a proof of registration. If the General Assembly votes by secret ballot, the following procedure will be followed:
- a) Each registered member will receive a blank ballot paper;
  - b) The President shall propose to the General Assembly and the General Assembly shall approve at least two tellers to count the votes in the assembly hall;
  - c) The votes will be collected by the Parish secretariat in a ballot box that will be held in a visible position; and
  - d) Members who arrive during the vote will be allowed to vote before the President declares the vote closed.

10) ELECTIONS.

Persons wishing to be considered for open positions in the Parish Administrative Council (i.e., positions set forth in the Statutes, Article 20.1.a, b and e) must declare their candidature to the Parish office at the latest 7 days before the annual General Assembly. The declaration must be accompanied by (i) a written endorsement by at least two members of the Association; (ii) a short statement indicating the experience and/or qualifications of the candidate as well as his motivations; (iii) his intention to run for the position of President, Vice President, or for a particular functional role (if open), or as a candidate-at-large whose functional role will be determined by the Parish Administrative Council following election. The Parish office will post the information submitted by candidates on the Parish web site. Candidates will also be required to make a short presentation to the General Assembly before the elections.

- b) Elections will be conducted by secret ballot (Statutes, Article 11.3) unless the number of candidates is equal to the number of places to fill, in which case the General Assembly can proceed by acclamation. The President and the Vice-President will be elected during the session of the General Assembly and will take up office at the end of the session. Except for the positions of President and Vice-President, other open positions will be filled according to the highest numbers of votes received. For example, if there are two open positions, the two persons receiving the highest number of votes will be elected to those positions. A person having served the maximum number of consecutive terms of office under the Statutes cannot present his candidature for any office until the second annual General Assembly after the end of his term of office.

#### IV. THE PARISH ADMINISTRATIVE COUNCIL

- 1) The Parish Administrative Council carries out the functions indicated in Article 19 of the Statutes, executes the decisions taken by the General Assembly, and reports to the General Assembly on the discharge of its mandate since the previous General Assembly (Statutes, Article 13.1.a.). General Assembly
- 2) The number (in accordance with the Statutes, Article 20.1.e.) and functions of the elected members of the Parish Administrative Council will be decided by the General Assembly upon the recommendation of the Parish Administrative Council, and will reflect the actual functions required for the Parish Administrative Council to work effectively.
- 3) If an elected member of the Parish Administrative Council resigns or for any other reason is unable to exercise his functions, or if the Parish Administrative Council considers that it requires a new function for the effective discharge of its mandate, the Parish Administrative Council may appoint a member of the Parish as an interim member of the Parish Administrative Council . This position shall be considered open as of the next annual General Assembly at which time the General Assembly shall elect a new member of the Parish Administrative Council for a full term of office.
- 4) The Parish Administrative Council will make every reasonable effort to take its decisions by consensus without a vote. Should a vote be necessary, it will be taken by show of hands in accordance with Article 23.2 and 3 of the Statutes. Parish Administrative Council members who have voted against a decision adopted by the Parish Administrative Council may request that the reasons for their dissent be reflected in the minutes of the meeting.
- 5) A summary of the minutes of Parish Administrative Council meetings will be published on the Parish web site.
- 6) Ten or more members of the Association may request in writing to be heard at a meeting of the Parish Administrative Council on a particular topic under consideration or which has been decided upon by the Parish Administrative Council, for the purpose of providing their views, explaining the reasons for their concern or disagreement, and offering alternative proposals. The Parish Administrative Council will inform the parishioners of its final decision after such hearing, and will report to the General Assembly thereon.

- V. MEDIATION AND CONCILIATION<sup>1</sup>) Members who find themselves engaged in a dispute relating to the affairs of the Association, when such dispute does not concern a point of civil or criminal law or canon law shall make a good faith attempt to resolve their dispute through direct negotiations.

- 2) Failing such good faith negotiations, the parties concerned shall submit the matter to mediation or conciliation conducted by a mutually agreed mediator in accordance with good mediation and conciliation practices, provided that such mediator agrees to conduct the mediation without charge. The mediation or conciliation will take place in Geneva and will be conducted in English.
- 3) The parties to a dispute will try to settle it in accordance with paragraphs 1 and 2 above before considering arbitration under Article 38 of the Statutes.

## VI. ENTRY INTO FORCE

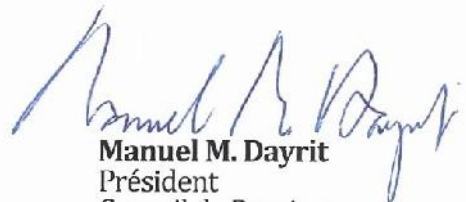
1. These By-Laws, approved by the representative of the Bishop in Geneva on 1<sup>st</sup> June 2012, were adopted by the General Assembly held on 19 June 2012 and have entered into force on that day.
2. In the event of any discrepancy between the English translation and the original French text of the By-Laws, the French version shall prevail.

Place and Date: Geneva, Switzerland, 19 June 2012

### Signatures



**Père Richard de Lord**  
Curé Modérateur  
Le répondant de la paroisse  
désigné par l'équipe pastorale



**Manuel M. Dayrit**  
Président  
Conseil de Paroisse