

**ORIGINATING SUMMONS**  
**IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA**  
**IN THE AWKA JUDICIAL DIVISION**

**HOLDEN AT AWKA**

**SUIT NO. A/ <sup>371</sup> /2026**

**BETWEEN:**

**THE MOST REVEREND ALEXANDER CHIBUZO IBEZIM,  
PhD (ARCHBISHOP OF THE PROVINCE OF THE NIGER  
AND BISHOP OF THE DIOCESE OF AWKA (ANGLICAN  
COMMUNION)).**

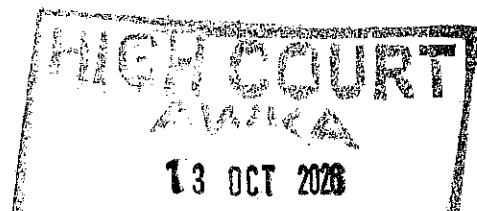
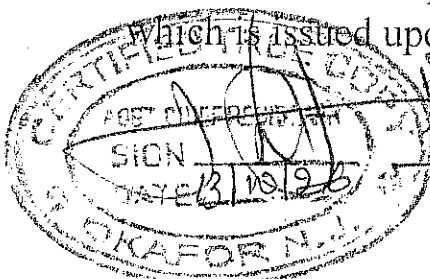
----- **PLAINTIFF**

**AND**

- 1. THE MOST REVEREND HENRY C. NDUKUBA  
(ARCHBISHOP, METROPOLITAN & PRIMATE OF ALL  
NIGERIA)**
- 2. THE MOST REVEREND BLESSING ENYINDAH  
(DEAN, CHURCH OF NIGERIA AND CHAIRMAN OF  
VISITATION TEAM TO THE DIOCESE OF AWKA  
ILLEGALLY CONSTITUTED BY THE 1ST DEFENDANT  
VIDE LETTER DATED 17/6/2026)**

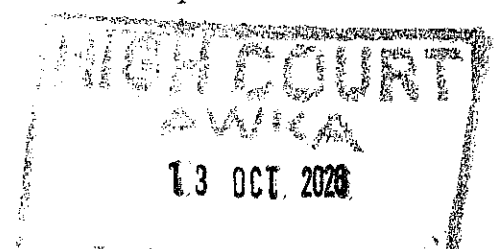
----- **DEFENDANTS**

Let THE MOST REVEREND HENRY C. NDUKUBA  
(ARCHBISHOP, METROPOLITAN & PRIMATE OF ALL  
NIGERIA), THE MOST REVEREND BLESSING ENYINDAH  
(DEAN, CHURCH OF NIGERIA AND CHAIRMAN OF  
VISITATION TEAM TO THE DIOCESE OF AWKA ILLEGALLY  
CONSTITUTED BY THE 1ST DEFENDANT VIDE LETTER  
DATED 17/6/2026) all of St. Matthias House, Plot 942, Ibrahim  
Waziri Crescent, Gudu District, Apo, Abuja., within forty-two days  
after service of this summons on them, inclusive of the date of such  
service, cause an appearance to be entered for them to this summons  
which is issued upon the application of THE MOST REVEREND



ALEXANDER CHIBUZO IBEZIM, PhD (ARCHBISHOP OF THE PROVINCE OF THE NIGER AND BISHOP OF THE DIOCESE OF AWKA (ANGLICAN COMMUNION)) who claims to be entitled to the following reliefs against the defendants:-

1. A declaration that the laid down procedure for disciplining a serving Bishop of a Diocese of the Church of Nigeria (Anglican Communion) are spelt out in sections 55,75(1)(2)(3)(4)(5), 76(1)(2)(3)(4)(5) and Canon XVI sections 22,24,25,26,27, and 28 of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, and must be strictly complied with before imposing any form of disciplinary measure or sanction including suspending or removing the plaintiff from office as the incumbent Bishop of the Diocese of Awka (Anglican Communion) and Archbishop of the Province of the Niger.
2. A declaration that at least one of the ten offences specifically listed or mentioned in section 1 of CANON XVI for which a Primate, a Provincial Archbishop, a Bishop, a Priest, or a Deacon in the Church of Nigeria (Anglican Communion) can be tried, must be proved before any form of disciplinary measure or sanction is imposed on the Plaintiff.
3. A declaration that upon a proper construction or interpretation of the extant Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, particularly sections 26(1)(2)(3), 27, 29(1), 46(1)(a), 50(2), 56(2)(a), 58, 75(1)(2)(3), 76(1)(2)(3), 77(1)(2)(3), 79(1)(2)(3)(4), 80(1)(2)(3) of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, and Canon V sections 2, 11, 12, 13, 13, 15(1)(3)(6), 16, 17, 18, 19, 20, 22, 23, 24, Canon VI sections 1(4), 4, Canon VII sections 1, 3(2), 4, Canon IX sections 1, 2(2), 3(1), 4(1), Canon XII sections 4, 5, Canon XIV sections 2(1)(2), 3, 5, 13, 15, 20, Canon XV section 1, Canon XVI sections 2, 15, 16, 22, 25, 26, 36, 41, 42, 50(g), Canon XVII sections 7, 8(1)(2) (which provides for the various responsibilities, duties, powers of the

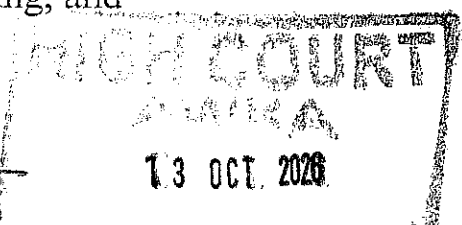


Primate), the Primate, Archbishop and Metropolitan of the Church of Nigeria lacks the power, authority, and competence to orally, or in writing, or in any manner whatsoever, query, suspend, dismiss, remove, retire or demand the retirement or resignation of the Plaintiff as the Archbishop of the Province of the Niger or as the Bishop of the Diocese of Awka (Anglican Communion), or any serving Bishop and Archbishop in the Church of Nigeria (Anglican Communion).

4. A declaration that the threats made by the Primate, Archbishop and Metropolitan of the Church of Nigeria (Anglican Communion) acting in collaboration with the Dean of the Church of Nigeria (Anglican Communion) against the Plaintiff on 9<sup>th</sup> October, 2026, to arrest and detain him and to suspend, remove, retire or dismiss the Plaintiff from his offices as the Archbishop of the Province of the Niger and Bishop of the Diocese of Awka (Anglican Communion) without any offence being committed by the plaintiff and without following the laid down procedure for imposing disciplinary sanctions on the plaintiff, are unconstitutional, illegal, unlawful, *ultra vires*, null and void and of no effect whatsoever.
5. A declaration that by virtue of section 4 Canon X of the Constitution and Canons of the Church of Nigeria (Anglican Communion) 2020, the plaintiff is entitled to remain in office as the Bishop of the Diocese of Awka (Anglican Communion) until he attains the age of 70 (seventy) years.
6. A declaration that the defendants lack the power, authority, and competence to truncate, abridge, or curtail the plaintiff's vested right to remain in office as the Bishop of the Diocese of Awka (Anglican Communion) until he attains the age of 70 (seventy) years.
7. An order of injunction restraining the defendants by themselves and by any organ or body or committee of the Church of Nigeria (Anglican Communion) and by any other subordinate officers, priests, clergy, Bishops, workers, servants, agents, privies, legal officers, or howsoever, from writing, signing, and



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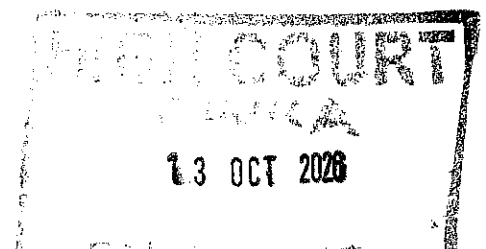


issuing/serving/delivering any letter of suspension, or removal, retirement or dismissal from his office, or, howsoever, to truncate or terminate or curtail or abridge the plaintiff's vested right to remain in office as the Bishop of the Diocese of Awka (Anglican Communion) until he attains the constitutionally stipulated retirement age of 70 (seventy) years.

8. An order of injunction restraining the defendants by themselves and by any organ, or body or committee of the Church of Nigeria (Anglican Communion) and by any other subordinate officers, priests, clergy, Bishops, workers, servants, agents, privies, legal officers, or howsoever, from further threatening to suspend, remove or retire the plaintiff from his offices as Archbishop of the Province of the Niger and Bishop of the Diocese of Awka (Anglican Communion) and from interfering in the affairs of the Diocese of Awka (Anglican Communion) for any purpose whatsoever without the prior consent in writing of the plaintiff, or his successors in office, after his retirement and the expiration of his tenure of office, and without the prior consent of the Diocesan board and Diocesan Synod and the Registered Trustees of the Diocese of Awka (Anglican Communion).

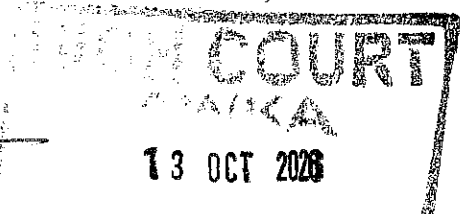
AND for the determination of the following questions: -

1. Whether it is mandatory to comply with the procedure laid down in section 55, 75(1)(2)(3)(4)(5), 76(1)(2)(3)(4)(5) and Canon XVI sections 22, 24, 25, 26, 27, and 28 of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, for disciplining a serving Bishop of a Diocese and Archbishop of a Province of the Church before imposing any disciplinary sanction or measure on such Bishop and or Archbishop?
2. Whether it is mandatory to establish at least one of the ten grounds for disciplining a serving Bishop and or Archbishop of the Church, stipulated in section 1 Canon XVI of the Constitution and Canons of the Church of Nigeria (Anglican



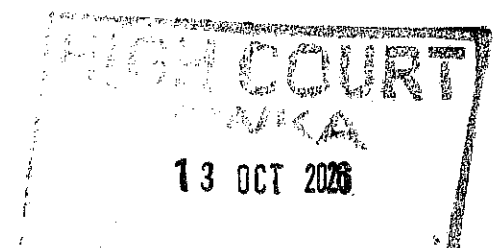
- Communion), 2020, before imposing any disciplinary sanction or measure on such Bishop and or Archbishop?
3. Whether upon a proper construction or interpretation of the extant Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, particularly sections 26(1)(2)(3), 27, 29(1), 46(1)(a), 50(2), 56(2)(a), 58, 75(1)(2)(3), 76(1)(2)(3), 77(1)(2)(3), 79(1)(2)(3)(4), 80(1)(2)(3) of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, and Canon V sections 2, 11, 12, 13, 13, 15(1)(3)(6), 16, 17, 18, 19, 20, 22, 23, 24, Canon VI sections 1(4), 4, Canon VII sections 1, 3(2), 4, Canon IX sections 1, 2(2), 3(1), 4(1), Canon XII sections 4, 5, Canon XIV sections 2(1)(2), 3, 5, 13, 15, 20, Canon XV section 1, Canon XVI sections 2, 15, 16, 22, 25, 26, 36, 41, 42, 50(g), Canon XVII sections 7, 8(1)(2) (which provides for the various responsibilities, duties, powers of the Primate), is the Primate, Archbishop and Metropolitan of the Church of Nigeria granted or conferred the power, authority and competence to query, suspend, dismiss, remove, retire or demand the retirement or resignation of the Plaintiff from his offices as the Archbishop of the Province of the Niger and as the Bishop of the Diocese of Awka (Anglican Communion) or any serving Bishop and Archbishop in the Church of Nigeria (Anglican Communion)?
  4. Whether the threats made by the 1<sup>st</sup> defendant acting in collaboration with the 2<sup>nd</sup> defendant against the Plaintiff on 9th October, 2026, to arrest and detain him and to suspend, remove or dismiss or retire the Plaintiff from his offices as the Archbishop of the Province of the Niger and Bishop of the Diocese of Awka (Anglican Communion) without any offence being committed by the plaintiff and without following the laid down procedure for imposing disciplinary sanctions or measures on the plaintiff, are unconstitutional, illegal, null and void and of no effect whatsoever?
  5. Whether having regard to Section 4 Canon X of the Constitution and Canons of the Church of Nigeria (Anglican Communion)

*Paul*  
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*18/10/2026*



2020, the plaintiff is entitled to remain in office as the Bishop of the Diocese of Awka (Anglican Communion) until he attains the age of 70 (seventy) years?

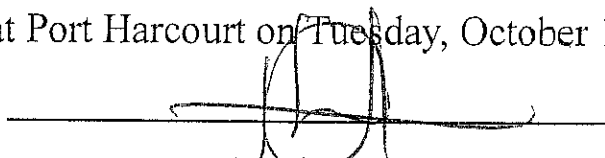
6. Whether the defendants lack the power, authority, and competence to truncate, abridge, or curtail the plaintiff's vested right to remain in office as the Bishop of the Diocese of Awka (Anglican Communion) until he attains the constitutionally stipulated retirement age of 70 (seventy) years?
7. Whether it is just and proper to grant orders of injunction:
  - (a) restraining the defendants by themselves and by any organ or body or committee of the Church of Nigeria (Anglican Communion) and by any of their subordinate officers, priests, clergy, Bishops, workers, servants, agents, privies, legal officers, or howsoever, from writing, signing, and issuing/serving/delivering any letter of suspension, or removal, retirement, dismissal, from his office, or, howsoever, to truncate or terminate or curtail or abridge the plaintiff's vested right to remain in office as the Bishop of the Diocese of Awka (Anglican Communion) until he attains the constitutionally stipulated retirement age of 70 (seventy) years?
  - (b) restraining the defendants by themselves and by any organ, or body or committee of the Church of Nigeria (Anglican Communion) and by any other subordinate officers, priests, clergy, Bishops, workers, servants, agents, privies, legal officers, or howsoever, from further threatening to suspend, remove or retire the plaintiff from his offices as Archbishop of the Province of the Niger and Bishop of the Diocese of Awka (Anglican Communion) and from interfering in the affairs of the Diocese of Awka (Anglican Communion) for any purpose whatsoever without the prior consent in writing of the plaintiff, or his successors in office, after his retirement and the expiration of his tenure of office, and without the prior consent of the Diocesan board and



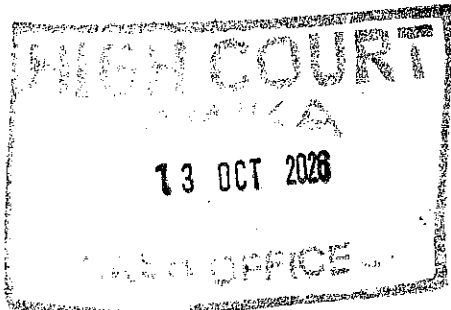
Diocesan Synod and the Registered Trustees of the Diocese of Awka (Anglican Communion).

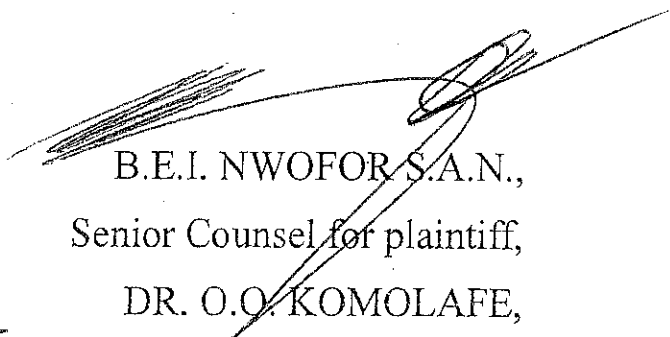
The Plaintiff's full name is THE MOST REVEREND ALEXANDER CHIBUZO IBEZIM, PhD (ARCHBISHOP OF THE PROVINCE OF THE NIGER AND BISHOP OF THE DIOCESE OF AWKA (ANGLICAN COMMUNION)).

Dated at Port Harcourt on Tuesday, October 13, 2026

  
Registrar

This summons was taken out by B.E.I. NWOFOR, S.A.N., Senior Counsel for the above-named plaintiff, whose address within the jurisdiction of this court is as follows:



  
B.E.I. NWOFOR S.A.N.,  
Senior Counsel for plaintiff,  
DR. O.O. KOMOLAFE,  
C.S. IKERIA, ESQ.,  
B.E.I. NWOFOR & CO.,  
21, Onne Road,  
G.R.A. Phase 2,  
Port Harcourt.  
Rivers State.  
08064343695

Whose address for service in Awka

Through the chambers of:

CHIEF OZOEMENA ONYALI,  
S.A.N.,  
No. 26, Dr. Okey Anueyiagu Road,  
Off Old INEC Road,  
Awka.  
Anambra State.

1. For filing in court
2. For Service on:

**DEFENDANTS**

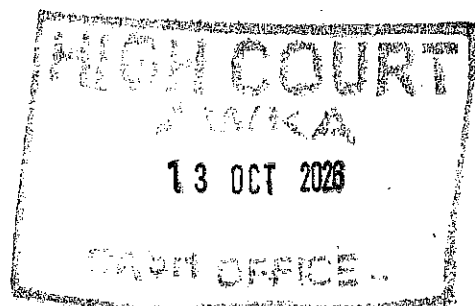
Plot 942, Ibrahim Waziri Crescent,  
Gudu District,  
Apo, Abuja.

**ENDORSEMENT PURSUANT TO SECTION 97 OF THE  
SHERIFFS AND CIVIL PROCESS ACT, CAP.S6, LAWS OF  
THE FEDERATION OF NIGERIA, 2004**

This summons is to be served out of Anambra State and in the  
Federal Capital Territory, Abuja.

*Lawyer*  
*218996*

*10/10/2020*



**IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA**

**IN THE AWKA JUDICIAL DIVISION**

**HOLDEN AT AWKA**

**SUIT NO. A/ /2026**

**BETWEEN:**

**THE MOST REVEREND ALEXANDER CHIBUZO IBEZIM,  
PhD (ARCHBISHOP OF THE PROVINCE OF THE NIGER  
AND BISHOP OF THE DIOCESE OF AWKA (ANGLICAN  
COMMUNION)).**

**----- PLAINTIFF**

**AND**

- 1. THE MOST REVEREND HENRY C. NDUKUBA  
(ARCHBISHOP, METROPOLITAN & PRIMATE OF ALL  
NIGERIA)**
- 2. THE MOST REVEREND BLESSING ENYINDAH  
(DEAN, CHURCH OF NIGERIA AND CHAIRMAN OF  
VISITATION TEAM TO THE DIOCESE OF AWKA  
ILLEGALLY CONSTITUTED BY THE 1ST DEFENDANT  
VIDE LETTER DATED 17/6/2026)**

**----- DEFENDANTS**

**AFFIDAVIT IN SUPPORT OF ORIGINATING SUMMONS**

I, THE MOST REVEREND ALEXANDER CHIBUZO IBEZIM, Ph.D., Archbishop of the Province of the Niger and Bishop of the Diocese of Awka (Anglican Communion), of Archbishop's Palace, Anglican Village, Ifite-Awka, Anambra State, citizen of the Federal Republic of Nigeria, do hereby make oath and state, as follows:-

1. I am the Plaintiff in this case.
2. I am the incumbent elected Archbishop of the Province of the Niger which covers the entire Anambra State. In effect, I am the

spiritual leader of all Anglicans in Anambra State with the entire state as my ecclesiastical jurisdiction.

3. I am also the incumbent elected Bishop of the Diocese of Awka (Anglican Communion) since 2010.
4. The first defendant is the person presently occupying the office of Primate, Archbishop and Metropolitan of the Church of Nigeria, which was established by section 26(1) of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020.
5. The Church of Nigeria (Anglican Communion) has Dioceses and churches all over Nigeria including in this Judicial Division of the High Court of Anambra State.
6. The second defendant is the Dean of the said Church of Nigeria (Anglican Communion) and the person appointed by the 1st defendant as Chairman of the Visitation Team to the Diocese of Awka vide letter dated Wednesday, June 17, 2026, a copy of which is hereto exhibited and marked **Exhibit A**.
7. The Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020 is hereto exhibited and marked **Exhibit B**.
8. I have carefully read through the said Constitution and Canons of the Church of Nigeria (Anglican Communion) and seen:
  - (1) that it is clearly stated in CHAPTER XIV DISCIPLINE sections 54 and 55 that:

“54 The General Synod shall have exclusive power to make provisions with regard to discipline and in particular-

    - (a) to prescribe and define offences for which a Bishop, Priest, Deacon or member of the Laity of the Church of Nigeria may be tried; and
    - (b) to determine the constitution and rules of procedure of Diocesan, Provincial and final appellate Tribunals for the exercise of Ecclesiastical discipline and establish a final Court of Appeal for the purpose.

“55 Any Bishop, Priest, Deacon or Laity of the Church of Nigeria (Anglican Communion) against whom a charge is brought shall be tried in accordance with provisions of the relevant Canons on Discipline”.

(2) that in CHAPTER XVI DISPUTE RESOLUTION, the procedure for handling COMPLAINTS AGAINST THE BISHOP OF A DIOCESE are spelt out in section 75(1)(2)(3)(4)(5) which reads:

- “75(1) Where the complaint is against the acts or omissions of the Bishop of the Diocese, then the complaint, in writing, shall be made to the Primate who shall forward same to the Bishop and call for his response.
- (2) The concerned Bishop shall deliver his response to the allegations not later than twenty-one days after receipt of the complaint from the Primate who shall thereafter set up a Seven-Man Committee, comprising of at least three Bishops and three Chancellors, (none from the Diocese of the Bishop concerned) to look into the matter and report back to the Primate within a period of fourteen days.
- (3) The Primate shall, within fourteen days of the submission of the findings and the recommendations of the Committee, submit same to the Episcopal Synod for consideration.
- (4) The Episcopal Synod may after the consideration of the report review, modify, reject or adopt the recommendations which shall be subject to the approval of the Standing Committee.
- (5) The approval of the Standing Committee referred to in subsection (4) of this section shall be subject to ratification by the General Synod

whose decision on the matter shall be final and binding.

- (3) that the procedure for handling COMPLAINTS AGAINST THE ARCHBISHOP OF A PROVINCE are lucidly stated in section 76(1)(2)(3)(4)(5) which reads:

“76(1) Where the complaint is against the acts or omissions of the Archbishop of a Province, then the complaint, in writing, shall be made to the Primate who shall forward same to the Archbishop and call for his response.

- (2) The concerned Archbishop shall deliver his response to the allegations not later than twenty-one days after receipt of the complaint from the Primate who shall thereafter set up a Seven-Man Committee, comprising of the Dean, at least three Archbishops and Three Chancellors (none from the Province of the Archbishop concerned) to look into the matter and report back to the Primate within a period of fourteen days.

- (3) The Primate shall, within fourteen days of the submission of the findings and the recommendations of the Committee, submit same to the Episcopal Synod for consideration.

- (4) The Episcopal Synod may after the consideration of the report review, modify, reject or adopt the recommendations which shall be subject to the approval of the Standing Committee.

- (5) The approval of the Standing Committee referred to in subsection (4) of this section shall be subject to ratification by the General Synod whose decision on the matter shall be final and binding.

(4) that in CANON XVI entitled “Of Ecclesiastical Discipline”, the charges, or offences or accusations on which a Primate, A Provincial Archbishop, A Bishop, A Priest or a Deacon in the Church of Nigeria (Anglican Communion) may be presented for trial are listed in section 1 of CANON XVI as follows:-

- “(a) A conviction by a court of competent jurisdiction for felony or other allied offences;
- (b) “sexual immorality” the words “includes but is not limited to homosexuality, lesbianism, bi-sexuality, paedophilia, adultery, fornication, rape and other sexual abhorrent behaviour;
- (c) conduct giving just cause for scandal or offence;
- (d) heresy or false doctrine;
- (e) schism, or acceptance of membership in a religious body not in communion with the Church of Nigeria (Anglican Communion);
- (f) apostasy from the Christian faith;
- (g) violation of any provision of the Constitution of the Church of Nigeria or of a Diocese;
- (h) disobedience, which is to say, wilful contravention of the Regulations either of the General Synod, or of the Diocesan Synod of the Diocese in which he holds office;
- (i) neglect of the duties of his office;
- (j) being a member of a secret society or cult, and failure or refusal to renounce membership of the same when required to do so.”

(5) that in sections 22,24,25,26,27, and 28 of CANON XVI, other vital procedural provisions are made regarding trial of Bishops, thus:-

“22. A Bishop of the Church shall, where charges are brought against him be tried by a court consisting of the Primate and the Bishops of the Church of Nigeria. The Primate shall preside. The Bishops except the accused, shall be summoned by the Primate to the hearing of the charge; but no trial shall take place unless there be present at least six Bishops, including the Primate, but excluding the accused.

24. No charge shall be received against a Bishop of the Church unless it be preferred, it if relates to a matter of Faith and Doctrine, by at least five Priests of the Diocese, or by a Bishop of the church or, if it relates to other matters, by at least three Priest of the Diocese and also three Lay Representatives in the Synod of the Diocese of the accused Bishop.

25. In the case of an accusation against a Bishop, the Articles of Presentment shall be delivered to the Primate, except he be the accused in which case they shall be delivered to the Dean of the Church of Nigeria.

26. The Primate (or if the Primate is the accused, the Dean of the Church) shall, at the earliest moment after receipt of the Articles of Presentment transmit a copy of the same to the accused, and to each of the other Bishops of the Church. All intimations and citations shall be deemed to be duly served by a copy thereof being forwarded by registered post to the residential address of the accused.

27. The trial shall take place within four months of the receipt of the Articles of Presentment by the Primate

or the Dean of the Church (as the case may be) unless, owing to the difficulty of communication, it appears to him necessary to postpone it to a latter day, but in no case shall it be postponed beyond a year.

28. In the trial of a Bishop, the President shall appoint three Clerical Assessors, each Assessor being a Dean, Provost, Archdeacon, or Canon of some Cathedral Church in the Church of Nigeria; and he shall, except on charges of heresy, also appoint one or two persons as Lay Assessor or Assessors.”

(6) that it is after the trial of a Bishop and he is found guilty, then, as provided in section 30 of CANON XVI:

“In the trial of a Bishop the sentence, if the accused be found guilty, shall be either admonition, censure, suspension, or deprivation, and in addition to any of these, the court may pass a sentence of excommunication, as the offence or offences adjudged to have been proved shall seem to deserve, due regard being paid to provisions relating to judicial sentences.”

9. The foregoing procedures were not complied with by the 1st defendant. More particularly none of the two Panels so far constituted by the 1st defendant were in line with section 75(2) and section 76(2) of the Constitution and Canons of the Church of Nigeria (Anglican Communion). Also there has been no Articles of Presentment against me and no trial by a court constituted in line with section 22 of Canon XVI has taken place.
10. The 1st defendant merely read a letter dated 28th July, 2025, which was circulating in the print and electronic media and which was not addressed to him, and thereafter constituted a PANEL OF INQUIRY INTO THE MANAGEMENT AND

DISPOSAL OF ASSETS OF THE CHURCH OF NIGERIA, DIOCESE OF AWKA UNDER THE AUTHORITY OF THE MOST REV'D ALEX C. IBEZIM. A copy of the letter dated 28th July, 2025 is hereto exhibited and marked **Exhibit C** while the copy of 1st defendant's letter dated 13th August, 2025 by which he constituted a Panel of Inquiry is marked **Exhibit D**.

11. Although the 1st defendant claimed in paragraph 2 of Exhibit D that the letter by Ike, Ike & Associates was "copied us", a cursory look at the letter marked Exhibit C show that it was not addressed to the 1st defendant and was not copied to him.
12. When I appeared before the said Panel on 29th and 30th August, 2025, I submitted a NOTICE OF PRELIMINARY OBJECTION challenging the competence of the Panel. A copy of the NOTICE OF PRELIMINARY OBJECTION is hereto exhibited and marked **Exhibit E**. I also testified at the Panel even though the complainant was invited and he bluntly refused to attend.
13. The said Panel had since 30th August, 2025 concluded its sitting and wrote its Report which it submitted to the 1st defendant, containing its findings and recommendations. I requested for a copy of that Report but the 1st defendant has refused to give me a copy of it.
14. As required by sections 75(3)(4)(5) and 76(3)(4)(5) of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, the 1st defendant was duty bound to submit the findings and recommendations of the Panel to the Episcopal Synod for consideration which may after the consideration of the report review, modify, reject or adopt the recommendations which shall be subject to the approval of the Standing Committee and the approval of the Standing Committee shall be subject to ratification by the General Synod whose decision on the matter shall be final and binding.
15. Unfortunately, and for ulterior and ignoble motives, the 1st defendant breached the said Constitution and Canons of the

Church of Nigeria (Anglican Communion), 2020 by refusing to submit the findings and recommendations of the Panel to the Episcopal Synod thereby denying that distinguished body which is defined in section 88(12) of the said Constitution as “a general meeting of the Bishops of the Church of Nigeria summoned independently of the General Synod to discuss episcopal matters”, the opportunity to review the findings and recommendations of the Panel and the adverse spiral effect was also to deny the Standing Committee and the General Synod of the Church of Nigeria their own opportunities to look at the findings and recommendations and make their input towards the resolution of the matter.

16. Up till date, the 1st defendant is still hiding the findings and recommendations of the said Panels for reasons best known to him, despite my repeated demands to be given copies of the Reports in the spirit of transparency, propriety, accountability and justice.
17. Instead of releasing the findings and recommendations of the said Panel, the 1st defendant by his letter dated 17th June, 2026, constituted a fresh Panel christened “VISITATION TEAM TO THE DIOCESE OF AWKA” on the same subject matter (as comparison of the terms of reference with those of the first Panel shows) and appointed the 2nd defendant as the Chairman. A copy of the 1st defendant’s letter dated 17th June, 2026 has been referred to in paragraph 6 above and marked **Exhibit A.**
18. Once more, I appeared before the said Visitation Team on 23rd July, 2026 but my accuser, the complainant refused to appear before the Panel. Instead of doing the right thing by dismissing the complaint due to the refusal of the complainant to appear before the Panel to prove his allegations, the Visitation Team did not do so but turned their assignment into an inquisition and misplaced the onus of proof by laying it upon me when the accuser is the person upon whom the onus of proof lies.

19. After its sittings the Visitation Team wrote and submitted its findings and recommendations to the 1st defendant since July 2026. Unfortunately, the 1st defendant has again hidden the Report of the Visitation Team and thereby failed to discharge his constitutional duty to submit the findings and recommendations of the Visitation Team to the Episcopal Synod which would have also submitted it to the Standing Committee of the Church of Nigeria and thereafter to the General Synod for a final and binding resolution of the matter.
20. The 1st defendant bluntly refused to comply with the provisions of sections 75(3)(4)(5) and 76(3)(4)(5) of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020. This continuous refusal to comply with the provisions of the said constitution truncated the internal DISPUTE RESOLUTION mechanism designed to amicably resolve disputes within the Church and made resort to this court inevitable as the court is the last hope of the common man to obtain justice until the intervention of God.
21. On 9th October, 2026, the 1st defendant acting in collaboration with the 2nd defendant orally informed me that I have performed very well in carrying out my duties as Bishop of Diocese of Awka and that there are many laudable projects I have completed which are eloquent testimonies of my competence and ability. The first defendant further stated that the Visitation Team did not make adverse findings against me except that they found that there were “administrative errors” in the running of the Diocese of Awka under my watch.
22. Consequently, the 1st defendant acting in collaboration with the 2nd defendant and in the presence of Archbishop Odutemu, the Archbishop of Bendel Province, said that as the Primate of the Church he must punish me for what he called “administrative errors” noticed by the Visitation Team in the running of the Diocese of Awka. The 1st defendant then said that he has decided:

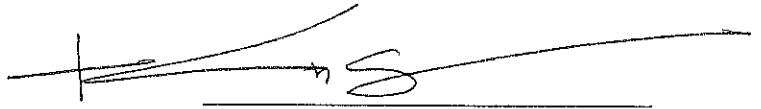
- (a) that I should be suspended from my offices as Archbishop of the Province of the Niger and Bishop of the Diocese of Awka for **four months**, or
  - (b) that I should serve in those offices for another **nine months** and thereafter be compulsorily retired,
  - (c) that I should choose which one of the two disciplinary sanctions stated in (a) and (b) above I prefer or has chosen and inform him on 19th October, 2026.
23. I was shocked and greatly disappointed that the 1st defendant could boldly, unlawfully, unabashedly and unilaterally determine to impose those disciplinary sanctions upon me for no valid reason and without giving me my right of a fair trial and fair hearing to defend myself or showing me a copy of the Report submitted to him by the Visitation Team since July 2026, which I had earlier requested for and he refused to give me. A copy of the letter of request for the Report signed by the Chancellor of the Diocese of Awka, delivered to the 1st defendant is hereto exhibited and marked **Exhibited F**.
24. I immediately challenged the 1st defendant's proposed disciplinary sanctions by asking him to show me where he derived the power, authority and competence to unilaterally impose or decide to impose such sanctions and to show me the provision of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020 which empowered him to make those decisions. Unfortunately, the defendants could not point out the section in the said Constitution or any law that gave the 1st defendant the power to make those decisions and pronouncements and they refused to accede to my repeated requests to be given a copy of the Report of the Visitation Team to Diocese of Awka.
25. The first defendant is the person who personally signed the Constitution and Canons of the Church of Nigeria, 2020 (Exhibit B) into law and is fully aware of its provisions.

26. The defendants occupy the two topmost positions in the Church of Nigeria (Anglican Communion), as Primate and Dean, respectively, and are fully aware:
- (a) that there are ten specifically mentioned and listed offences in section 1 of CANON XVI for which a Primate, a Provincial Archbishop, a Bishop, a Priest or a Deacon in the Church of Nigeria (Anglican Communion) can be tried and, if convicted, disciplined, as stated in paragraph 8(4) above.
  - (b) that I have not been charged for any of the said ten offences as contemplated by section 24 of Canon XVI.
  - (c) that no Articles of Presentment accusing me of commission of any of those ten offences has been brought against me or delivered to the 1st defendant as contemplated by section 25 of CANON XVI.
  - (d) that I have not been tried and found guilty by a court consisting of the Primate and the Bishops of the Church of Nigeria in which the Primate presided, as required by section 22 of CANON XVI of the said Constitution.
  - (e) that it is if and only if I had been tried and found guilty, that disciplinary sanctions or measures could be imposed on me, such as either admonition, censure, **suspension**, or deprivation, or excommunication, as provided in section 30 of CANON XVI of the said Constitution.
  - (f) that by virtue of section 4 of Canon X of the said Constitution, I am entitled to remain in office as Bishop of the Diocese of Awka until I attain the age of 70 (seventy) years.
27. The defendants' conduct in seeking, by all unlawful means, to remove or suspend me from my offices as Archbishop of the Province of the Niger and Bishop of the Diocese of Awka before attaining the constitutionally guaranteed retirement age of seventy years is borne out of mischief, envy, wickedness and hatred for no just cause.
28. Because the defendants are unrelenting and resolutely determined to actualize their evil intentions against me and

thereby truncate my vested right to retire from service at the age of 70 years, I have instituted this action in this court for redress.

29. Unless this honourable court expeditiously grants me the reliefs I am seeking in this suit, I would suffer irreparable, irretrievable and outrageous damage and injury and injustice which no monetary award can assuage.

30. I do solemnly and sincerely declare that I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act.

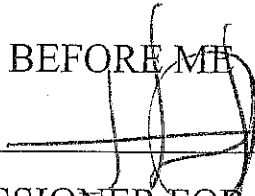


DEPONENT

Sworn at the High Court Registry,

Awka, this 13<sup>th</sup> day of October, 2026.

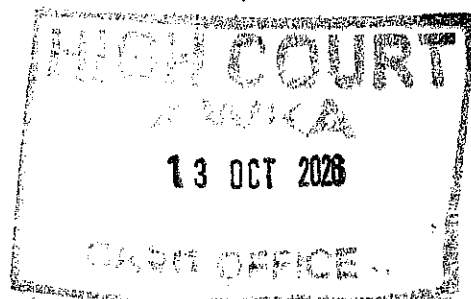
BEFORE ME



COMMISSIONER FOR OATHS

*Handwritten:*  
2438910

*Handwritten:*  
13/10/2026



EXH A



## CHURCH OF NIGERIA

(Anglican Communion)

THE MOST REV'D HENRY C. NDUKUSA, D.D., F.R.S.  
Archbishop and Primate of the Church of Nigeria

Wednesday, June 17, 2026

The Most Rev'd Blessing Enyindah, Phd, JP  
Dean, Church of Nigeria.

Your Grace,

### VISITATION TEAM TO THE DIOCESE OF AWKA

We have decided to constitute the above Visitation Team to undertake a comprehensive visitation to the Diocese of Awka and have nominated Your Grace as the **Chairman of the Team**.

The other members of the Team are as follows

- |                                                               |                      |
|---------------------------------------------------------------|----------------------|
| 1. The Most Rev'd Dr Timothy Yahaya                           | Member               |
| 2. The Rt Rev'd Owen Nwokolo                                  | Member               |
| 3. Hon. Justice Taiwo Taiwo<br>Chancellor, Diocese of Onitsha | Member               |
| 4. Hon. Justice Goddy Anunihu<br>Chancellor, Diocese of Orlu  | Member               |
| 5. Chief M. O. Otiogu                                         | Member               |
| 6. Mr James Nwabuokey                                         | Member } Accountants |
| 7. The Ven. Amos Adébayo                                      | Member / Secretary   |

### Terms of Reference:

1. Interphase with all the aggrieved members of the Diocese and other stakeholders with a view to resolving the issues around the assets, landed and otherwise of the Diocese;
2. Undertake such other activities and support same with appropriate recommendations as to the recovery of any of the properties or lands of the Diocese that have been sold or otherwise disposed of.

The Team shall be required to submit your report to our office on or before 15th July, 2026. The inauguration will be via zoom on the 26th of June, 2026 at 1pm.

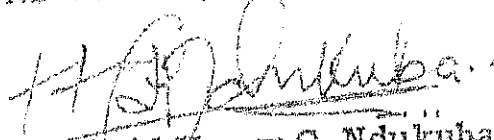
2. NATIONAL HOUSE

Church of Nigeria, Lagos State, Lagos, Nigeria. P.O. Box 12345

We are confident that under your leadership, the Team will be properly guided and our desire to see the Diocese of Awka move forward will be fulfilled.

Please accept our best wishes for a successful assignment.

The LORD be with you.



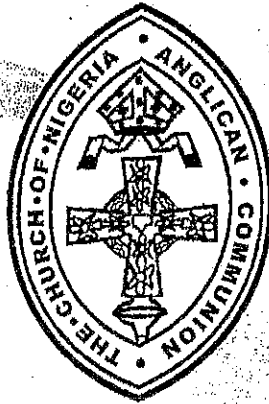
The Most Rev'd Henry C. Ndukuba, MA, ED, MA (Ed.), DD,  
*Archbishop, Metropolitan & Primate of All Nigeria*

Cc: The Chancellor, Church of Nigeria  
The Registrar, Church of Nigeria  
The General Secretary, Church of Nigeria  
The Chancellor, Diocese of Awka  
The Registrar, Diocese of Awka

**ST MATTHIAS HOUSE**

Plot 10/12, The 6th Avenue Crescent CAD Zone E01, Gudu District P.O. Box 2-2, 5009 Garki, Abuja, Nigeria.

EXH B



**CHURCH OF NIGERIA**  
**(ANGLICAN COMMUNION)**

# **CONSTITUTION**

## **AND CANONS**

**2020**

*Church of Nigeria (Anglican Communion) Constitution and Canons 2020*

MEMBERSHIP

- (3) Subject to any Canon or Regulation made in that behalf, the membership of the Church of Nigeria (Anglican Communion) shall be open to all persons who accept the aims and objectives, the doctrines and the Constitution of the Church.

SECRETARIAT

- (4) The Secretariat of the Church of Nigeria shall be in the Federal Capital Territory, Abuja which shall also be the headquarters of the Church of Nigeria and the seat of the Archbishop, Primate and Metropolitan of Nigeria.

THE CHURCH  
OF NIGERIA  
(ANGLICAN  
COMMUNION)

3. (1) The Church of Nigeria shall be in full communion with all Anglican Churches Dioceses and Provinces that hold and maintain the Historic Faith, Doctrine, Sacrament and Discipline of the one Holy, Catholic, and Apostolic Church as the Lord has commanded in His holy word and as the same are received as taught in the Book of Common Prayer and the Ordinal of 1662 and in the Thirty-Nine Articles of Religion.
- (2) In the interpretation of the aforementioned formularies and in all questions of Faith, Doctrine and Discipline, the decisions of the Ecclesiastical tribunals of the Church of Nigeria shall be final.

ORDERS OF  
MINISTRY

4. The Church of Nigeria shall have three Orders of the Ministry, namely:
- (a) Bishops who shall have a special responsibility and authority for the preservation of the truth of the doctrine of the Church for the purity of its life, and the worthiness of its worship;
- (b) the Priests who in co-operation with and under the guidance of the Bishops have a

special responsibility for preaching the word of God and administering the Holy Sacraments and generally for the cure of souls; and

- (c) the Deacons, who have a special responsibility for the care of the poor and distressed, for the instruction of the young and the ignorant and for giving assistance to the Priests in Divine Service.

## CHAPTER II THE GENERAL SYNOD

### POWERS

- 5. The General Synod as hereby constituted, shall be the Legislative body of the Church of Nigeria and every enactment, resolution or directives thereof shall be binding upon the Church of Nigeria and on every Province, Diocese, Officer, and member thereof.

### COMPOSITION

- 6. The General Synod shall consist of:
  - (a) the House of Bishops;
  - (b) the House of Clergy; and
  - (c) the House of Laityconstituted in accordance with the provisions of this Constitution.

### HOUSE OF BISHOPS

- 7. The House of Bishops shall consist of:
  - (a) the Archbishop, Metropolitan and Primate of the Church of Nigeria;
  - (b) the Dean of the Church of Nigeria;
  - (c) the Provincial Archbishops;
  - (d) all Serving Bishops of the Church of Nigeria; and
  - (e) retired Bishops who are not engaged in

remunerative work outside the ordained Ministry: provided that they shall have no right to vote.

HOUSE OF  
CLERGY

8. (1) The House of Clergy shall consist of Priests and Deacons who hold the Licence of the Bishop of the Diocese they represent, elected in such manner and in accordance with such rules as the Diocesan Synod may make in that behalf.
- (2) Unless the General Synod or the Standing Committee otherwise decides, every Diocese shall be represented by two Clerical representatives.

HOUSE OF  
LAITY

9. (1) The House of Laity shall consist of such communicant members of the Church of the age of eighteen years and above elected or appointed Lay Representatives of the Diocese they represent in such manner and in accordance with such rules as the Diocesan Synod may make in that behalf.
- (2) Unless the General Synod or the Standing Committee otherwise decides, every Diocese shall be represented by three Lay representatives which shall include the Chancellor and at least one woman.

FILLING OF  
VACANCIES

10. Each Diocese shall make rules to provide for the filling of vacancies in Clerical and Lay representation of the Diocese which may occur through death, resignation, loss of qualification or any other cause between the time of the election or appointment and the subsequent meeting of the General Synod.

## MEETINGS OF THE GENERAL SYNOD

### SESSIONS

11. Ordinary Sessions of the General Synod shall take place every THREE years; provided that the General Synod shall meet whenever the Archbishop, Metropolitan and Primate decide that the circumstances of the Church require it and provided also that the General Synod shall be summoned by the Archbishop, Metropolitan and Primate whenever requested to do so by at least one-third of the membership of a House.

### PRESIDENT OF THE GENERAL SYNOD

12. (1) The Primate of the Church of Nigeria (Anglican Communion) shall be President of the General Synod and shall preside at all sessions thereof.

- (2) During a vacancy in the office of Primate or the absence of the Primate from any meeting of the General Synod or any Committee, Council, Board or Commission constituted under the Constitution or any Canon, unless otherwise provided, the Dean of the Church of Nigeria or in his absence the Provincial Archbishop senior by presentation and the Bishop senior by consecration, shall preside.

### NOTICE OF GENERAL SYNOD

13. (1) The Primate shall give to all the Bishops of the Church of Nigeria at least six calendar months notice of every ordinary session of the General Synod, and the Bishop of each Diocese shall cause such notice to be published throughout his Diocese and sent to all members of the General Synod in his Diocese through their registered addresses within four weeks of receiving such notice provided that when a special session of the

MAJORITY  
WHERE VOTING  
IS BY HOUSES

17. Where voting is by Houses the assent of the majority of members present of each of the three Houses shall be necessary.

PROLOCUTOR  
AND CHAIRMAN OF  
HOUSE OF LAITY

18. (1) During every session of the General Synod the House of Clergy shall elect one of its members as Prolocutor, to preside over the House of Clergy and over a joint assembly of the Clergy and Laity and the House of Laity shall elect one of its members as Chairman to preside over the House of Laity, should the Houses of the General Synod deliberate separately.
- (2) Where a vacancy occurs with respect to the Prolocutor or the Chairman of the House of Laity before the holding of the General Synod, that House shall elect one of its members to fill the vacancy for the remainder of the session of the General Synod.

TENURE OF  
MEMBERS

19. The members and officers of the General Synod from the Houses of Clergy and of Laity shall remain in office until their successors have been appointed or elected.

FAILURE IN  
REPRESENTATION  
NOT TO INVALIDATE  
PROCEEDING

20. No proceedings or enactment or resolution of the General Synod or of any House, Committee, Commission or Body thereof shall be invalidated by any vacancy in the membership of the body concerned or by any defect in the qualification, election or appointment of any member thereof; neither shall failure or neglect on the part of any such representatives to attend invalidate the enactments or resolutions of the General Synod, which enactments and resolutions shall have the same force in that Diocese as if such representative had been present.

**CHAPTER III**  
**FUNCTIONS, JURISDICTION AND POWERS**  
**OF THE GENERAL SYNOD**

FUNCTIONS, ETC  
OF THE GENERAL  
SYNOD

21. (1) It shall be the duty of the General Synod -
- (a) to consider matters concerning the Church of Nigeria and make provision for the administration of its affairs and for the promotion of the spiritual welfare and well being of its members by Canons, Regulations, Resolutions, Directives or other instruments as may be appropriate; and
  - (b) to consider and express their opinion on any matters of religious or public interest.

POWER TO  
SUSPEND  
DEFAULTING  
DIOCESES.

- (2) Notwithstanding the functions of the General Synod specified in subsection (1) of this section, the General Synod may suspend a Diocese from attending the General Synod or any meeting of the Standing Committee if it has defaulted in the payment of its annual assessment to the Church of Nigeria consistently for a period of two years.

LEGISLATIVE POWER

22. For the avoidance of doubt, the General Synod as hereby constituted shall be the legislative body of the Church of Nigeria and every enactment, resolution or directive of the said Synod shall have effect and be binding upon the Church, every Ecclesiastical Province or Diocese therein and upon all officers and members thereof and, subject as hereinafter provided the General Synod shall have authority and jurisdiction in all matters affecting in any way, the general interest and well-being of the whole Church and in particular:

- (i) the constitution and organisation of the General Synod including the regulation of the time and place of its meetings, the order and conduct of its proceedings, and the appointment, functions and duties of its officers, committees and other organs;
- (ii) the national character, constitution, integrity and autonomy of the Church of Nigeria;
- (iii) the relations of the Church to other religious bodies in Nigeria and elsewhere;
- (iv) the relations of the Church to other Churches of the Anglican Communion;
- (v) the election, retirement or resignation of the Primate of the Church of Nigeria, the Provincial Archbishops and Diocesan Bishops including the consecration of Diocesan Bishops;
- (vi) discipline of Clergy and of Laity of the Church of Nigeria;
- (vii) the constitution and powers of and procedure in courts of original and appellate jurisdiction for the trial of offences and the enforcement of judgements;
- (viii) the revision, adaptation and publication of a Book of Common Prayer and a Hymnal for the Church;
- (ix) the establishment of minimum standards of theological education for Postulants with at least WASC/SSC, GCE with five (5) credits which shall include English Language and Christian Religious Knowledge for training

requirement in recognized Church of Nigeria theological institutions and issuance of registration numbers from the Church of Nigeria after ordination;

- (x) the regulation of inter-diocesan transfer of clergy;
- (xi) the relinquishment or abandonment of the Ministry of the Church;
- (xii) the administration of all funds and trusts established in respect of the Church;
- (xiii) the administration of a group insurance plan for the benefit of the Clergy and lay employees of the Church;
- (xiv) the sub-division of the Church into more Internal Provinces and the constitution of any number of Dioceses into a new Internal Province provided that no new Internal Province shall consist of less than ten Dioceses and that such separate Dioceses shall be geographically contiguous and related to one another by such common organs as the General Synod may determine. There are fourteen Internal Provinces as specified in the Schedule hereto which shall include such other new Diocese or Dioceses created hereafter out of the Dioceses listed within the Provinces therein and such other Internal Provinces as may be created from time to time;

SCHEDULE

Provided that current Internal Provinces with less than fifteen Dioceses may continue to remain as Internal Provinces.

- (xv) exclusive authority and jurisdiction in respect of all matters of common concern to the whole Church as well as matters affecting relations between the Church and the Dioceses and between the Dioceses including (without prejudice to the generality of the foregoing) the subdivision of Dioceses and of Provinces, the re-arrangement of existing Dioceses and Provinces and the creation of new Dioceses and all such other matters that affect the communion of the Dioceses with one another as the General Synod shall think fit;
- (xvi) after such consultation as may be deemed necessary by the General Synod, the determination of the location of headquarters of Dioceses, Ecclesiastical Provinces and of the Church of Nigeria including power to relocate such headquarters; and
- (xvii) either by itself or its Standing Committee to give directives either directly or through the Archbishop and Primate to any person appointed to, or holding any office under this Constitution or the Constitution of an Ecclesiastical Province or of a Diocese therein on any matter appearing to it to relate to any powers conferred on it by this Constitution, or to the well-being of the Church, and it shall be the duty of any such officer or person to carry out such directive.

**CHAPTER IV  
FAITH AND ORDER**

**DOCTRINAL  
FORMULAE**

23. A provision touching doctrinal formulae of the service or ceremonies of the Church of Nigeria or the administration of the sacraments or sacred rites thereof shall, before it is finally approved by the General Synod, be referred to the House of Bishops, and shall be submitted for such final approval in terms proposed by the House of Bishops and not otherwise.

**APPROVAL  
OF DIOCESAN  
SYNODS**

24. An Article or Canon or Regulation for permanent changes in the services of Baptism or Holy Communion or in the Ordinal, or a scheme for a constitutional union or a permanent and substantial change of relationship between the Church of Nigeria and another Christian Body, being a body a substantial number of whose members reside in Nigeria, shall not be finally approved by the General Synod unless at a stage determined by the Archbishop, Metropolitan and Primate, the Article or Canon or Regulation or Scheme, or the substance of the proposals embodied therein, shall have received the approval of the Diocesan Synods of at least two-thirds of the Dioceses of the Church of Nigeria.

**POWER OF  
HOUSE OF  
BISHOPS**

25. The House of Bishops or Episcopal Synod shall have power to make such adaptations and abridgements of, and addition to, the services of the Church as may be required from time to time and the General Synod may prescribe the manner, extent and circumstances in which a Bishop may authorise the use of any alterations in a service approved by the House of Bishops:

Provided that such issues as are raised in sections 23, 24 and 25 of this Constitution are first referred to the Theological and Doctrinal Department or

of his presentation or when he attains the age of seventy years, whichever first occurs; or

(c) having given notice of his intention to resign or retire, the Dean shall in consultation with the Episcopal Synod accept the resignation; or

(d) upon representation made to the Dean by one third of the Diocesan Bishops that his appointment be terminated or he is required to retire by a resolution supported by a majority of two-thirds of the General Synod: Provided that he shall be given the fullest opportunity to defend himself against any charges that may have been brought against him.

OTHER FUNCTIONS  
OF THE ARCHBISHOP,  
METROPOLITAN  
AND PRIMATE

29. (1) In addition to his functions as Diocesan Bishop, the Primate shall have the following functions -

(a) to have a general authority and supervision over the whole of the Church of Nigeria in accordance with the provisions of this Constitution and the Canons of the Church;

(b) to confirm the appointment of any person duly elected a Bishop in the Church of Nigeria and to arrange for his consecration if he be not already consecrated;

(c) to preside when he is so required by Regulations pertaining thereto at the hearing of appeals in accordance with the provisions of this Constitution concerning the trial of Bishops, the Clergy, and the Laity and also on other occasions when the

House of Bishops sits as a court.

- (d) to visit officially the Dioceses of the Church of Nigeria whether at the invitation of the Bishop of the Diocese or on his own initiative;
- (e) to represent the Church of Nigeria in its relationship with the rest of the Anglican Communion and other Churches in communion with it and on its behalf to correspond with other Metropolitans;
- (f) to perform such other functions prescribed by this Constitution or as may from time to time be entrusted to him by the General Synod or the Standing Committee.

**TENURE OF  
OFFICE**

- (2) The tenure of the Primate shall be in accordance with the provisions of the Canons or Regulations made in respect thereof by the General Synod.

**CHAPTER VI  
OFFICE OF THE DEAN**

**THE DEAN OF  
THE CHURCH  
OF NIGERIA**

- 30. (1) There shall be for the Church of Nigeria, a Dean who shall be elected in accordance with the provisions of Clauses 2 and 3 of Canon III.
- (2) During the illness or other incapacity of the Primate, the Dean of the Church of Nigeria shall perform all the duties of the Primacy.
- (3) In the absence of the Primate from any meeting of General Synod or any Committee, Council, Board or Commission,

required or authorized by this Constitution to be made, and consistently with this Constitution, for the meetings, business and procedure of the General Synod.

- (2) Provision may be made by the Standing Orders that the exercise of any power of the General Synod to suspend the Standing Orders or any of them shall require the assent of such a majority of the members of the whole Synod present and voting as may be specified in the Standing Order.
- (3) Standing Orders of the General Synod may provide for separate sittings of any of the three Houses or joint sittings of any two Houses and as to who is to take the Chair at any such separate or joint sitting.
- (4) Each House may make, amend and revoke Standing Orders to regulate its own proceedings.

#### CHAPTER IX ECCLESIASTICAL PROVINCES

OFFICE OF THE  
ECCLESIASTICAL  
ARCHBISHOP  
AND TENURE  
OF OFFICE

33. (1) There shall be for each Ecclesiastical Province of the Church of Nigeria, an Ecclesiastical Archbishop.
- (2) The tenure of office of an Ecclesiastical Archbishop shall be in accordance with the Canons and Regulations made in respect thereof by the General Synod.
- (3) There shall be for each Ecclesiastical Province created within the Church of Nigeria, a Provincial Council which shall consist of:

*Church of Nigeria (Anglican Communion) Constitution and Canons 2020*

PROVINCIAL  
COUNCIL

- (a) the Provincial Archbishop who shall preside as the Chairman;
- (b) all Bishops of the Church of Nigeria having Sees within the Ecclesiastical Province;
- (c) Suffragan or Assistant Bishops within the Ecclesiastical Province but shall have no right to vote when the Diocesan Bishop is present;
- (d) one Clergyman from each Diocese elected at the Diocesan Synod;
- (e) two lay members, one of whom shall be a woman, from each Diocese elected at the Diocesan Synod;
- (f) any such person not exceeding two to be co-opted on ad hoc basis for their expertise; but they shall have no right to vote.

- (4) The Provincial Council shall meet on regular basis as determined by each Province or as provided by the Canons.

TERRITORY OF  
ECCLESIASTICAL  
PROVINCE

- 34. The exact territorial limits of each Ecclesiastical Province and of each Diocese therein as well as the location of the Headquarters of the same shall be determined by the General Synod or its Standing Committee.

PRESIDENT  
OF COUNCIL

- 35. (1) The Provincial Archbishop shall preside over meetings of the Provincial Council or in his absence, the next most senior Bishop by consecration shall preside.
- (2) Any dispute within a Diocese which cannot be satisfactorily resolved by the Diocesan

Bishop shall first be referred by an aggrieved party to the appropriate Provincial Archbishop.

- (3) If the dispute is between two Dioceses of which one is where the Provincial Archbishop is the Bishop or if it involves the person of the Archbishop, then the next most senior Bishop by consecration in the Province will preside over the dispute, if all these fail, then the Primate or his nominee, will preside.

**POWERS OF  
PROVINCIAL  
COUNCILS**

36. Provincial Councils shall have authority and jurisdiction to meet as often as occasions may demand either on the invitation of the Provincial Archbishop or at the request of two Bishops to discuss all matters of general interest and the well-being of the Church within their territorial jurisdiction and to implement their decisions on the following matters:

- (1) the training of priests;
- (2) the location of newly trained priests within the Province where applicable;
- (3) inter-diocesan transfer of priests;
- (4) pension and gratuities;
- (5) maintenance of common institutions;
- (6) co-operation with other Ecclesiastical Provinces within the Church of Nigeria.
- (7) such other matters as may be delegated by the General Synod.

CHAPTER X  
GENERAL SYNOD AND DIOCESES

GENERAL  
SYNOD AND  
DIOCESES

37. The General Synod shall have power -

- (a) to create new Dioceses out of the existing Dioceses within Nigeria;
- (b) to create Missionary Dioceses within and outside Nigeria;
- (c) to create convocations, chaplaincies of like-minded faithfuls outside Nigeria and appoint persons within or outside Nigeria to administer them and the Primate shall give Episcopal oversight;
- (d) to adjust the boundaries of existing Dioceses;
- (e) to create non-geographic Dioceses as may become necessary with respect to missionary exigencies;
- (f) to incorporate into the Church of Nigeria any Diocese in any adjacent country;
- (g) to encourage Diocesan growth to full organisation; and
- (h) to approve all Diocesan Constitutions in such a manner that, while giving full liberty to meet local conditions and desires, a degree of uniformity in Diocesan Constitutions as may be desirable for the well-being of the Church, is secured.

DIOCESAN  
SYNOD

38. Every full fledged Diocese shall have a Diocesan Synod consisting of the Diocesan Bishop, a House of Clergy and a House of Laity and a Constitution approved by the General Synod to govern its administration.

MISSIONARY  
DIOCESE

39. (1) A Missionary Diocese shall be governed by a Bishop and a Council whose membership and powers shall be determined by the Bishop subject to the approval of the Primate.
- (2) A Missionary Diocese may become a full fledged Diocese after three years of its inauguration subject to the approval of the Primate.

EXTENT OF  
DIOCESAN  
AUTONOMY

40. The General Synod shall allow the Dioceses to deal with matters which concern only the members of the Church within each Diocese: Provided that no enactment of any Diocesan Synod shall have any force in the Diocese if it conflicts with any enactment made by the General Synod.

#### CHAPTER XI ELECTION AND TENURE OF BISHOPS

OFFICE OF THE BISHOP

41. There shall be in each full fledged Diocese and Missionary Diocese of the Church of Nigeria, the Office of the Bishop.

ELECTION OF  
BISHOPS

42. Every Bishop of Church of Nigeria shall be elected by the Episcopal Synod in accordance with the procedure laid down in the Canons and Regulations made under this Constitution but such election shall not take effect until the same is confirmed by the Archbishop, Metropolitan and Primate.

**SUCCESSION IN  
BISHOPRIC**

43. In the event of the translation, retirement, death or any reason of permanent incapacity of a Bishop, there shall be elected a new Bishop soon thereafter.

**TENURE OF  
OFFICE**

44. The tenure of office of a Bishop shall be in accordance with the provisions of the Canon or Regulations made in respect thereof by the General Synod.

**ELIGIBILITY FOR  
ELECTION**

45. A Bishop for any Diocese and Mission may be elected from among the Bishops or Clergy of any Diocese of the Church of Nigeria or of any other Diocese in communion with the Church of Nigeria.

**CHAPTER XII  
OFFICERS OF THE GENERAL SYNOD**

**OFFICERS**

46. (1) The Officers of the General Synod shall be:

- (a) the Archbishop, Metropolitan and Primate of the Church of Nigeria;
- (b) the Dean of the Church of Nigeria;
- (c) the Provincial Archbishops;
- (d) the Registrar of the Church of Nigeria;
- (e) the Chancellor of the Church of Nigeria;
- (f) the General Secretary of the Church of Nigeria;
- (g) the Treasurer of the Church of Nigeria;
- (h) the Clerical Secretary;
- (i) the Lay Secretary;
- (j) the Prolocutor; and
- (k) the Chairman of the House of Laity.

**ELECTION OF  
REGISTRAR**

- (2) There shall be a Registrar of the Church of Nigeria, who shall be elected by the General Synod from the members of the House of Laity for the duration of the Synod, and who shall be a member of the legal profession of wide and considerable experience of not less than fifteen years post-call experience.

CHANCELLOR

- (3) There shall be a Chancellor for the Church of Nigeria, who shall be the Chancellor of the Diocese of which the Primate is a Diocesan Bishop, and who shall be a member of the legal profession of wide considerable experience of not less than fifteen years post-call experience.

ELECTION OF  
TREASURER

47. (1) During the meetings of each session, the General Synod shall elect one of its members as Treasurer who shall -
- (a) be a qualified accountant with not less than ten years post qualification and professional experience; and
- (b) serve until the beginning of the next ordinary session.

- (2) In the event of his being unable to serve, the Primate, after consultation with the Prolocutor and the Chairman of the House of Laity, shall appoint a member to act until the next ordinary session of the General Synod.

- (3) The Treasurer shall within nine months of the end of the year, submit to the Standing Committee or the General Synod, the annual financial statements of the Church of Nigeria for the preceding year.

APPOINTMENT  
OF JOINT  
AUDITORS

48. (1) During the meetings of each session, the General Synod shall appoint Joint Auditors who shall serve until the beginning of the next ordinary session.

- (2) The Joint Auditors shall -
- (a) be qualified accountants with not less than ten years post qualification and professional

experience;

(b) audit the financial statements of the Church of Nigeria; and

(c) present the audit report to the Standing Committee.

APPOINTMENT OF GENERAL  
SECRETARY AND DEPUTY  
GENERAL SECRETARY

49.

(1)

There shall be established for the Church of Nigeria a Secretariat which shall be headed by a General Secretary who shall be a Clergyman in Priests' Order not below the status of an Archdeacon appointed by the Standing Committee on full time basis for a term of five years and upon such terms as it shall deem fit.

(2) It shall be the duty of the General Secretary to:

(a) attend meetings of the General Synod and of the Standing Committee of the General Synod and of any other Committee or body appointed by the Standing Committee as the Primate shall direct; and

(b) carry out such administrative or other duties as the Primate or the Standing Committee shall from time to time direct.

(3) There shall be appointed by the Standing Committee a Deputy General Secretary on full time basis and upon such terms as it shall deem fit.

new Diocese in between two General Synods, the Diocesan Synod concerned shall elect one clerical and one lay member to represent the Diocese.

- (3) The Primate shall be Chairman of the Standing Committee while the General Secretary shall be Secretary to the Committee.

51. It shall be the duty of the Standing Committee to act on behalf of the General Synod between sessions of the Synod, to advise the Primate in regard to such matters as he may think fit to refer to it, or that the Standing Committee may desire to bring to the notice of the Primate assist him in drawing up the agenda of the General Synod and carrying into effect the resolutions, programmes and policies of the General Synod and to administer the common fund of the Church, receive the annual accounts of the Treasurer of the Church of Nigeria and the auditor's report to be presented by the Joint Auditors: provided that all decisions of the Standing Committee shall be liable to be reviewed by the General Synod.
52. (1) There shall be for the General Synod, a Committee of Reference which shall be constituted at every session of the General Synod.
- (2) The membership and functions of the Committee of Reference shall be as specified in Clause 20 of Canon XIV of this Constitution and Canons.
53. The General Secretary of the General Synod shall prepare a written report in summary form of all matters considered and dealt with by the Standing

Committee since the last regular meeting of the General Synod not less than thirty days prior to each regular meeting of the General synod which shall be presented by the General Secretary at the session of the General Synod.

#### CHAPTER XIV DISCIPLINE

POWER OF  
GENERAL  
SYNOD

54. The General Synod shall have exclusive power to make provisions with regard to discipline and in particular -

(a) to prescribe and define offences for which a Bishop, Priest, Deacon or member of the Laity of the Church of Nigeria may be tried; and

(b) to determine the constitution and rules of procedure of Diocesan, Provincial and final appellate Tribunals for the exercise of Ecclesiastical discipline and establish a final Court of Appeal for the purpose.

TRIAL  
PROCEDURE

55. Any Bishop, Priest, Deacon or Laity of the Church of Nigeria (Anglican Communion) against whom a charge is brought shall be tried in accordance with provisions of the relevant Canons on Discipline.

#### CHAPTER XV FUNDS AND PROPERTY: TRUSTEES

REGISTERED  
TRUSTEES

56. (1) There shall be a body known as "The Registered Trustees of the Church of Nigeria (Anglican Communion)" which shall have perpetual succession and may sue and be sued in its corporate name.

*Church of Nigeria (Anglican Communion) Constitution and Canons 2020*

(2) The Registered Trustees of the Church of Nigeria (Anglican Communion) shall consist of the following:-

- (a) the Primate of the Church of Nigeria;
- (b) the Dean of the Church of Nigeria;
- (c) the Registrar of the Church of Nigeria;
- (d) the General Secretary of the Church of Nigeria.

57. With effect from the registration of the Trustees under the Companies and Allied Matters Act, 1990, all property of the Church of Nigeria (Anglican Communion), movable or immovable, real or personal, shall become vested in the Registered Trustees of the Church of Nigeria (Anglican Communion) for and on behalf of the General Synod.

58. The Primate of the Church shall be the Chairman of the Registered Trustees.

59. The Registered Trustees shall have a corporate seal which shall be under the custody of the Registrar of the Church of Nigeria and shall be used with the attestation of at least four Trustees, but with the unanimous consent in writing of all Trustees:

Provided that in the event of the failure of Trustees to obtain a unanimous agreement, the General Synod by a simple majority, or the Standing Committee by two-thirds majority, may grant approval for the use of the seal.

OTHER  
TRUSTEES  
AN AGENTS

61. All Trustees holding property in trust for and on behalf of the Church of Nigeria shall henceforth be deemed to be the agents of, and be accountable to, the Registered Trustees of the Church of Nigeria (Anglican Communion), who shall have power to extend, terminate or vary the terms of the Trust where circumstances so warrant.

REPORTS AND  
ACCOUNTS OF  
TRUSTEES

62. The Registered Trustees shall render reports and accounts to the General Synod in respect of all properties vested in them or their Agents.

GENERAL  
FUND

63. A General Fund shall be established for the Church of Nigeria for the following purposes:

(a) if he is declared bankrupt or insane by a competent tribunal or authority;

(b) if he ceases to hold the office by virtue of which he became a Trustee;

(c) if he resigns as a Trustee;

(d) if he is convicted of a criminal offence involving moral turpitude or other offence under Canon XVI; or

(e) if he is removed as a Trustee by a simple majority of the members of the General Synod.

REPORTS AND  
ACCOUNTS OF  
TRUSTEES

61. All Trustees holding property in trust for and on behalf of the Church of Nigeria shall henceforth be deemed to be the agents of, and be accountable to, the Registered Trustees of the Church of Nigeria (Anglican Communion), who shall have power to extend, terminate or vary the terms of the Trust where circumstances so warrant.

GENERAL  
FUND

62. The Registered Trustees shall render reports and accounts to the General Synod in respect of all properties vested in them or their Agents.

63. A General Fund shall be established for the Church of Nigeria for the following purposes:

(a) contributing toward the official expenses incurred by the Primate in the administration and visitation of the Church;

- (2) Any funds, money or properties whatsoever which may be found due from Church of the Province of West Africa to the Church of Nigeria at its inauguration shall be transferred to and become vested in the General Synod of the Church of Nigeria

ANNUAL  
CONTRIBUTION

65. The General Synod shall determine from time to time the amount, date and mode of payment to be paid annually by each Diocese within the Church of Nigeria to the General Fund of the Church of Nigeria.

REGULATIONS  
TO MANAGE  
TRUST  
PROPERTY

66. The General Synod shall make such Regulations as may be necessary from time to time for the management of property held in trust for the Church of Nigeria and shall have full power and authority to determine in what manner, and upon what conditions such property shall be used or occupied, provided, however, that all regulations as to the tenure, management, and use of Church property shall be subject to the approval of the General Synod.

VESTING  
OF FUND

- (1) The General Fund shall be vested in and be administered by the General Synod.
- (2) Any funds, money or properties whatsoever which may be found due from Church of the Province of West Africa to the Church of Nigeria at its inauguration shall be transferred to and become vested in the General Synod of the Church of Nigeria.

ANNUAL  
CONTRIBUTION

67. The General Synod shall determine, and may from time to time increase or diminish, the contribution to be paid annually by each Diocese within the Church of Nigeria to the General Fund.

REGULATIONS  
TO MANAGE  
TRUST  
PROPERTY

68. The General Synod shall make such Regulations as may be necessary from time to time for the management of property held in trust for the Church of Nigeria and shall have full power and authority to determine in what manner, and upon what conditions such property shall be used or occupied, provided, however, that all regulations as to the tenure, management, and use of Church property shall be subject to the approval of the General Synod.

practicable, be transferred to and be vested in Trustees acting on behalf of the General Synod who shall be constituted the Church of Nigeria (Anglican Communion) and all such property thus transferred shall be in trust.

The property thus transferred shall be managed and shall be made available for the purposes of the Church of Nigeria (Anglican Communion) and for the purposes of the General Synod of the Church of Nigeria shall, from time to time, duly appoint in writing under the authority of the General Synod, one or more persons to be known as the Board of Trustees, who shall be subject to the authority of the General Synod, and shall have the power to exercise such powers as may be conferred upon them by the General Synod, and any powers which may be required for the management of any property of the Church of Nigeria.

DELEGATION OF MANAGEMENT

CONSENT OF THE CHURCH

VESTING OF PROPERTY IN TRUSTEES

35. (1) All property, of whatever nature or kind, whether movable or immovable, real or personal, which may be given, granted, or otherwise transferred to the Church of Nigeria, shall, as soon as it is practicable, be transferred to and be vested in Trustees acting on behalf of the General Synod of the Church of Nigeria, who shall be subject to the authority of the General Synod, and shall have the power to exercise such powers as may be conferred upon them by the General Synod, and any powers which may be required for the management of any property of the Church of Nigeria.

(2) The Trustees shall be subject to the authority of the General Synod, and shall have the power to exercise such powers as may be conferred upon them by the General Synod, and any powers which may be required for the management of any property of the Church of Nigeria.

36. The Trustees shall be subject to the authority of the General Synod, and shall have the power to exercise such powers as may be conferred upon them by the General Synod, and any powers which may be required for the management of any property of the Church of Nigeria.

37. The Trustees shall be subject to the authority of the General Synod, and shall have the power to exercise such powers as may be conferred upon them by the General Synod, and any powers which may be required for the management of any property of the Church of Nigeria.

38. The Trustees shall be subject to the authority of the General Synod, and shall have the power to exercise such powers as may be conferred upon them by the General Synod, and any powers which may be required for the management of any property of the Church of Nigeria.

**DIOCESAN  
TRUSTEES**

71. (1) Every Diocesan Synod, or Diocesan Trusts' Board appointed by such Synod, shall be a body authorised to exercise on behalf of the General Synod, the powers designated in this Constitution and hereafter in respect to property given or acquired for the benefit of the Church in that Diocese.

(2) All Diocesan Trustees shall carry out the objects of the Trusts in such manner, consistent with the terms of the Trust, as the several Diocesan Synods shall, from time to time, direct.

**APPOINTMENT  
OF OTHER  
TRUSTEES**

72. (1) The General Synod, or the Episcopal Synod, Board, Committee, or other Body, acting under its authority may, from time to time, appoint a Trustee or Trustees, for the whole or any portion of the property held in Trust; and may from time to time, as often as it shall think proper, cancel and revoke every such appointment, and may appoint another Trustee, or other Trustees, in the place of all or any one or more of the Trustees named in, or thereafter to be appointed by, or on behalf of, the said General Synod.

(2) Any Trustee or Trustees may, under the authority of the General Synod, as provided in the foregoing section sell, and absolutely dispose of, either together or in parcels, and either by public sale or private contract, all or any part of the said Trust Property in respect of which no Trust shall have been created inconsistent with the exercise of this present power: or, by the like direction may exchange the said property, or any part thereof, for any other freehold or quitrent lands, tenements, or hereditaments; and

give (out of any money in their hands, applicable to such purpose) or receive any money by way of equality or exchange, and may execute all such transfer as may be requisite for effectuating such sale or exchange; or, by the like direction may mortgage the said property or any part thereof:

Provided, always that all money arising from such sale, or received by any Trustee or Trustees for equality or exchange, as aforesaid, after payment of the costs and expenses, payable by such Trustee or Trustees in relation to such sale or exchange shall be expended in the absolute purchase of other freehold or quitrent lands, tenements, or hereditaments; or, failing such purchase, then under the special leave and sanction of the said General Synod, or of the Synod, Board, Committee, or other Body acting on its behalf, such Trustees or Trustee may invest and put out at interest, on good and sufficient security, any money arising as aforesaid.

- (3) All property which shall be so purchased, or received in exchange, as aforesaid, and all such investments as are provided for in the foregoing section, shall be held by the Trustees or Trustee, in whom it shall become vested, upon such trusts as the property so to be sold or given in exchange was held subject to:

Provided nevertheless, that subject to any provisions of the trust to the contrary, the General Synod, or the Synod, Board, committee, or other Body acting in its behalf

may, in respect to the peculiar circumstances of any case, allocate any of the moneys mentioned in the two foregoing section, to purposes in the same Diocese other than those provided in the said sections, such purposes being always, as far as practicable, of the same nature as those which were contemplated in the original Trust.

- (4) The receipt, in writing, of any Trustees or Trustee shall be a good and effectual discharge for all money paid to them, or him under or by virtue of these presents and shall exonerate the person or persons paying such money from all obligation of seeing to the application thereof, and from all liability on account of the loss, mis-application, or non-application thereof: and it shall be incumbent on any purchaser or other person, to or with whom such sale, exchange, or lease as aforesaid shall be made, to inquire as to the necessity for, or propriety of such sale, exchange, or lease.
- (5) Every Trustee shall be chargeable for such money only as he shall actually have received, although he shall have joined in any receipt for money received by any Co-Trustee. He shall not be liable for any loss which may arise by reason of any Trust money being deposited in the hands of any Banker or Agent, or from the insufficiency or deficiency of any security upon which the Trust money, or any part thereof, may be invested, nor for any loss in the execution of the Trust, unless the same shall happen through his own wilful neglect or default.

**CHAPTER XVI  
WELFARE COMMITTEE**

**ESTABLISHMENT  
OF THE  
WELFARE  
COMMITTEE**

73. (1) There shall be established for the Church of Nigeria and every Diocese, Mission and Convocation of the Church, a Welfare Committee, in this Chapter referred to as "the Committee.
- (2) The Committee shall cater for the welfare needs of -
- (a) Church workers;
  - (b) the poor, needy, workers, widows and widowers, orphans and other vulnerable members of the Church.
- (3) The funds of the Committee shall consist of -
- (a) monies as may be determined by the General Synod, Standing Committee or the Diocesan Board, respectively;
  - (b) donations, contributions; and
  - (c) grants.
- (4) The conditions attached to the making of the grants, donations or contributions, shall not be inimical to the aims, objectives and fundamental principles of the Church of Nigeria.
- (5) Members of the Committee shall be elected at every Standing Committee or Diocesan Synod, Mission or Convocation Council, respectively.

- (6) In the Diocese, each Archdeaconry within the Diocese shall be represented by the Archdeacon.
- (7) The annual budget of the Church of Nigeria and each Diocese, Mission or Convocation in the Church of Nigeria shall contain a substantial allocation to the respective Committee.
- (8) The Church of Nigeria Committee, the Diocese, Mission or Convocation Committee shall each be constituted by the General Synod or the Standing Committee or the Diocesan Synod, Mission or Convocation Council.
- (9) The Standing Committee and the Diocesan Board, Mission or Convocation Council shall each lay down general policies and additional guidelines as to who may benefit from the welfare programme and in what circumstances.
- (10) The Committee of the General Synod, Standing Committee and each of the Diocesan Synod, Mission or Convocation Council shall each present an annual report to the General Synod, the Standing Committee and the Diocesan Synod, Mission or Convocation Council on its activities in each year.

DISP  
BETW  
MEM  
AGAN  
LOCA  
VICAR

**CHAPTER XVII  
DISPUTE RESOLUTION**

DISPUTE  
BETWEEN A  
MEMBER, ETC  
AGAINST HIS  
LOCAL CHURCH,  
VICAR, ETC.

74. (1) Where a member or organisation of the Church of Nigeria is aggrieved by any act or decision of his local church/parish or his Vicar or other persons or organs of his local church, he shall forward a written report of his grievance to the Bishop of the Diocese.
- (2) If the member is illiterate and cannot write, he may make an oral report to the Bishop, who shall direct any of his staff to reduce the complaint into writing.
- (3) The Bishop shall send the complaint to the affected local church/parish, Vicar or person or organ complained against and the said local church/parish shall within twenty-one days of receipt of the complaint, deliver to the Bishop its response to each and every point raised in the complaint.
- (4) If the Bishop is of the opinion, after receipt of the response from the local church or Vicar or person or organ complained against, that the matter is minor, he may proceed to settle the matter.
- (5) Where the Bishop is of the opinion that the matter is serious, he shall constitute a Five-Man Committee of persons of high repute, of clerical and lay status, to be headed by the Chancellor of the Diocese, and in the absence of the Chancellor, the Registrar or any legal officer of the Diocese to look into the dispute and report its findings and recommendations to the Bishop.

COMPLAINTS  
AGAINST THE  
BISHOP OF A  
DIOCESE.

- (6) The Bishop shall, after due consideration of the findings and recommendations of the Committee, take such decision as he may deemed fit under the circumstance.
75. (1) Where the complaint is against the acts or omissions of the Bishop of the Diocese, then the complaint, in writing, shall be made to the Primate who shall forward same to the Bishop and call for his response.
- (2) The concerned Bishop shall deliver his response to the allegations not later than twenty-one days after receipt of the complaint from the Primate who shall thereafter set up a Seven-Man Committee, comprising of at least three Bishops and three Chancellors, (none for the Diocese of the Bishop concerned) to look into the matter and report back to the Primate within a period of fourteen days.
- (3) The Primate shall, within fourteen days of the submission of the findings and the recommendations of the Committee, submit same to the Episcopal Synod for consideration.
- (4) The Episcopal Synod may after the consideration of the report review, modify, reject or adopt the recommendations which shall be subject to the approval of the Standing Committee.
- (5) The approval of the Standing Committee referred to in subsection (4) of this Section shall be subject to ratification by the General Synod whose decision on the matter shall be final and binding.

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response, the Dean shall constitute a Seven-Man Committee which shall be made up of three Archbishops, the Registrar of the Church of Nigeria and three Chancellors to look into the dispute and report its findings and recommendations to the Dean.

- (3) The Dean shall, within fourteen days of the submission of the findings and the recommendations of the Committee, submit same to the Episcopal Synod for consideration.
- (4) The Episcopal Synod may, after the consideration of the report review, modify, reject or adopt the recommendations which shall be subject to the approval of the Standing Committee.
- (5) The approval of the Standing Committee referred to in subsection (4) of this Section shall be subject to ratification by the General Synod whose decision on the matter shall be

**DISPUTES BETWEEN  
DIOCESES**

- 79.
- (1) Wherever and whenever there is any dispute or disagreement of whatever nature or description between two or more Dioceses, the aggrieved Diocese(s) shall forward a comprehensive report of its grievance to the Primate, who shall thereupon send the complaint to the other Diocese complained against.
  - (2) The Diocese complained against, shall not later than twenty-one days after receipt of the complaint, deliver to the Primate its response to each and every point raised in the complaint.

CONCERNS  
ABOUT  
DECISIONS  
OF THE CHURCH  
OF NIGERIA

80.

(3) Within twenty-one days of receipt of a complaint, the Primate shall constitute a Committee of three Archbishops and/or Bishops, the Registrar of the Church of Nigeria and three Chancellors (none from the Diocese concerned) to look into the dispute and report its findings and recommendations to the Primate within 14 days thereafter.

GENERAL  
STANDING  
RULES ON  
DISPUTE  
RESOLUTION  
PROCESSES

(4) The Primate shall, within fourteen days of the submission of the findings and the recommendations of the Committee, submit same to the Standing Committee for consideration.

(5) The Standing Committee may, after the consideration of the report review, modify, reject or adopt the recommendations which shall be subject to the approval of the Standing Committee.

(6) The approval of the Standing Committee referred to in subsection (5) of this Section shall be subject to ratification by the General Synod whose decision on the matter shall be final and binding.

CONCERNS  
ABOUT  
DECISIONS  
OF THE CHURCH  
OF NIGERIA

80.

(1) Where any member, Clergy, Bishop, Diocese or Diocesan organisation is aggrieved by any act or decision of the Church of Nigeria or any of her organs or principal officers of whatever nature or description, the aggrieved person or Diocese shall forward a written complaint/petition of its grievance to the Primate.

(2) The Primate shall, within twenty-one days of the receipt of the complaint/petition, constitute a Seven-Man Committee which

GENERAL  
STANDING  
RULES ON  
DISPUTE  
RESOLUTION  
PROCESSES

(5) The approval of the Standing Committee referred to in subsection (4) of this Section shall be subject to ratification by the General Synod whose decision on the matter shall be final and binding.

DISPUTE  
AGAINST  
ELECTIONS TO  
VACANT POSTS  
WITHIN THE  
CHURCH

81. Except as otherwise provided by the Constitution or any Canon or Regulations made by the General Synod, all disputes arising from elections to any vacant posts within the Church of England and Wales by the Standing Committee of the Church of Nigeria shall be referred to the Standing Committee of the Church of Nigeria whose decision on the matter shall be final and binding.

GENERAL  
STANDING  
RULES ON  
DISPUTE  
RESOLUTION  
PROCESSES

82. During the subsistence of dispute resolution processes under any section of this Chapter of the Constitution, no party shall seek the intervention of a court of law or any outside body for redress.

(3) The Filicate shall, within fourteen days of the submission of the findings and the recommendations of the Committee, submit a report to the Standing Committee for consideration.

(4) The Standing Committee may, after the consideration of the report, review, modify, reject or adopt the recommendations which shall be subject to the approval of the Standing Committee.

(5) The approval of the Standing Committee referred to in subsection (4) of this Section shall be subject to ratification by the General Synod whose decision on the matter shall be final and binding.

DISPUTE  
AGAINST  
ELECTIONS TO  
VACANT POSTS  
WITHIN THE  
CHURCH

81. Except as otherwise provided by the Constitution or any Canon or Regulations made by the General Synod, all disputes arising from elections to any vacant posts within the Church shall be determined by the Standing Committee of the Church of Nigeria whose decision on the matter shall be subject to ratification by the General Synod whose decision on the matter shall be final and binding.

GENERAL  
STANDING  
RULES ON  
DISPUTE  
RESOLUTION  
PROCESSES

82. During the subsistence of dispute resolution processes under any section of this Chapter of the Constitution, no party shall seek the intervention of a court of law or any outside body for redress.

Provided that where the amendment, repeal or addition relates to a matter of faith and doctrine, notice thereof shall emanate only from the Episcopal Synod.

AMENDMENT  
OF  
CONSTITUTION

Church of Nigeria (Anglican Communion) Canon 2020

PROSECUTION OF INTERNAL  
DISCIPLINARY PROCEEDINGS  
IN THE  
GENERAL SYNOD

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it shall not be lawful to alter, add to, amend or repeal any of the provisions of this Constitution except it shall have been resolved and approved at a meeting of the Standing Committee of the General Synod that the alteration, addition, amendment or repeal shall be presented to the General Synod next ensuing and except it shall, before the session of the General Synod, have received the approval of the Diocesan Synods of at least two-thirds of the Dioceses of the Church of Nigeria:

PROPOSAL  
FOR  
AMENDMENT

21

Provided that where the approval of the Diocesan Synods of at least two-thirds of the Dioceses of the Church of Nigeria is not obtained, the proposed amendment shall be referred to the Standing Committee of the General Synod or the General Synod or the Standing Committee of the General Synod or the Diocesan Synod.

Provided that where the amendment, alteration, repeal or addition relates to a matter of faith and doctrine, notice thereof shall emanate only from the Episcopal Synod.

AMENDMENT  
OF  
CONSTITUTION

22

It shall not be lawful to alter, add to, amend or repeal any of the provisions of this Constitution except it shall have been resolved and approved at a meeting of the Standing Committee of the General Synod that the alteration, addition, amendment or repeal shall be presented to the General Synod next ensuing and except it shall, before the session of the General Synod, have received the approval of the Diocesan Synods of at least two-thirds of the Dioceses of the Church of Nigeria:

shall be made in the Register of the Church of Nigeria. If the proposed amendment is not obtained, the proposed amendment may be placed before the General Synod, and if the same shall be passed by at least

The Primate shall, within four months of the submission of the report, cause the report to be considered by the

consideration of the report, the subject of the report shall be considered by the

STANDING  
COMMITTEE

- (20) "Standing Committee" is and shall mean those special members of the Houses of Bishops, Clergy and Laity of the General Synod who have authority under the Constitution to act and function as the Executive Committee of the General Synod.

SAVINGS

89. (1) The statutory functions, rights, interests, obligations and liabilities of the Church of Nigeria represented by the Registered Trustees, existing before the commencement of this Constitution under any contract or instrument, or in law or in equity shall by virtue of this Constitution, be deemed to have been assigned to and vested in the Church of Nigeria represented by the Registered Trustees constituted by this Constitution.
- (2) Any such contract or instrument mentioned in subsection (1) shall be of the same force and effect as if made in favour of the Church of Nigeria represented by the Registered Trustees constituted by this Constitution and shall be enforceable as fully and effectively as if instead of the Church of Nigeria represented by the Registered Trustees existing before the commencement of this Constitution, the Church of Nigeria represented by the Registered Trustees constituted by this Constitution has been named therein or had been a party thereto.
- (3) The Church of Nigeria represented by the Registered Trustees constituted by this Constitution shall be subject to all the obligations and liabilities to which the Church of Nigeria represented by the Registered Trustees existing before the



commencement of this Constitution was subject to immediately before the commencement of this Constitution and all other persons shall have the same rights, powers and remedies against the Church of Nigeria represented by the Registered Trustees constituted by this Constitution as they had against the Church of Nigeria represented by the Registered Trustees existing before the commencement of this Constitution.

- (4) Any proceeding or cause of action pending or existing immediately before the commencement of this Constitution, by or against the Church of Nigeria represented by the Registered Trustees existing before the commencement of this Constitution in respect of any right, interest, obligation or liability of the Church of Nigeria existing before the commencement of this Constitution may be continued or as the case may be commenced and any determination of a court of law, tribunal or other authority or person may be enforced by or against the Church of Nigeria represented by the Registered Trustees constituted by this Constitution to the same extent that such proceeding or cause of action or determination might have been continued, commenced or enforced by or against the Church of Nigeria represented by the Registered Trustees existing before the commencement of this Constitution.
- (5) All assets, funds, resources and other movable or immovable property which immediately before the commencement of this Constitution were vested in the Church

of Nigeria represented by the Registered Trustees existing before the commencement of this Constitution shall by virtue of this Constitution and without further assurance, be vested in the Church of Nigeria represented by the Registered Trustees constituted by this Constitution.

- (6) Any person who immediately before the coming into force of this Constitution is the holder of any office either by election or appointment in the Church of Nigeria shall, on the commencement of this Constitution, continue in office and be deemed to have been elected or appointed to his office by the Church of Nigeria unless the authority by which the person was so elected or appointed, terminates the election or appointment.

DATE OF COMMENCEMENT

90. The provisions of this Constitution and the Canons of the Constitution shall be binding and take effect from the 23<sup>rd</sup> day of September, 2020.

**SCHEDULE REFERRED TO IN SECTION 22  
(PARAGRAPH XIV)**

| S/No | PROVINCE     | DIOCESES WITHIN THE PROVINCE                                                                                                     | TOTAL |
|------|--------------|----------------------------------------------------------------------------------------------------------------------------------|-------|
| 1    | LAGOS        | Lagos, Egba, Ijebu, Remo, Yewa, Lagos-West, Badagry, Ijebu North, Lagos Mainland, Ifo, Egba West, Awori Ijebu South West         | 13    |
| 2    | OF THE NIGER | On the Niger, Awka, Nnewi, Aguata, Ogbaru, Ihiala, Niger West, Mbamili, Amichi                                                   | 9     |
| 3    | NIGER DELTA  | Niger-Delta, Calabar, Uyo, Niger-Delta-North, Niger Delta-West, Okrika, Ahoada, Ogoni, Etche, Ikwerre, Northern Izon, Ogbia, Eyo | 13    |

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|    |        |                                                                                                                                                                                                   |    |
|----|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 4  | IBADAN | Ibadan, Ilesa, Osun, Ife, Oke-Osun, Ibadan-North, Ibadan-South, Oyo, Ogbomoso, Oke-Ogun, Ajayi Crowther, Ife East, Osun North, Ilesha South-West, Ilesha North, Osun North East, Ijesa North-East | 17 |
| 5  | ONDO   | Ondo, Ekiti, Akoko, Owo, Akure, On the Coast, Ekiti-West, Ekiti-Oke, Ilaje, Irele-Ese Odo, Ile-Oluji, Idoani                                                                                      | 12 |
| 6  | KADUNA | Kaduna, Kano, Katsina, Sokoto, Kebbi, Dutse, Wusasa, Gusau, Zaria, Bari, Ikara                                                                                                                    | 11 |
| 7  | OWERRI | Owerri, Orlu, Mbaise, Isimbano, Okigwe-South, Egbu, Ideato, Ohaji/Egbema, On the Lake, Oru, Okigwe, Ikeduru                                                                                       | 12 |
| 8  | BENDEL | Benin, Asaba, Warri, Sabongida-Ora, Ughelli, Oleh, Esan, Ika, Western Izon, Akoko-Edo, Etsako, Ndokwa, Sapele                                                                                     | 13 |
| 9  | ENUGU  | Enugu, Nsukka, Abakaliki, Oji River, Awgu/Aninri, Enugu North, Ngbo, Ikwo, Afikpo, Nike, Udi, Eha-Amufu                                                                                           | 12 |
| 10 | ABA    | Aba, Umuahia, Ukwa, Isikwuato, Arochukwu, Ikwuano, Isiala Ngwa South, Isiala-Ngwa, Aba Ngwa North                                                                                                 | 9  |
| 11 | KWARA  | Kwara, Offa, Igbomina, New Bussa, Omu-Aran, Jebba, Ekiti Kwara, Igbomina West                                                                                                                     | 8  |
| 12 | JOS    | Jos, Yola, Maiduguri, Bauchi, Damaturu, Jalingo, Gombe, Pankshin, Bukuru, Langtang                                                                                                                | 10 |
| 13 | ABUJA  | Abuja, Kafanchan, Makurdi, Otukpo, Gwagwalada, Lafia, Kubwa, Zonkwa, Kwoi, Zaki-Biam, Gboko                                                                                                       | 11 |

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|    |          |                                                                                        |    |
|----|----------|----------------------------------------------------------------------------------------|----|
| 14 | LOKOJA   | Minna, Lokoja, Bida, Idah, Kabba, Kontagora, Kutigi, Ijumu, Okene, Ogori-Magongo, Doko | 11 |
| 15 | MISSIONS | NOMADIC, CONNAM, ADOTT, ANGLICAN DIOCESE OF THE WEST                                   | 4  |

MADE at ABUJA this 23rd day of SEPTEMBER, 2020

AUTHENTICATED by the Archbishop, Metropolitan and Primate this 23<sup>rd</sup> day of September, 2020.



THE MOST REVD. HENRY CHUKWUDUM NDUKUBA  
Archbishop, Metropolitan and Primate of All Nigeria  
Church of Nigeria (Anglican Communion)

**CANON I**  
**Of Fundamental Declarations**

1. The Church of Nigeria (Anglican Communion) hereinafter called "The Church of Nigeria" or "This Church" shall be in full communion with all Anglican Churches Dioceses and Provinces that hold and maintain the Historic Faith, Doctrine, Sacrament and Discipline of the one Holy, Catholic, and Apostolic Church as the Lord has commanded in His holy word and as the same are received as taught in the Book of Common Prayer and the ordinal of 1662 and in the Thirty-Nine Articles of Religion.
2. The Church of Nigeria has power so to order its discipline as to banish and drive away all erroneous and strange doctrines which are contrary to God's word as understood and interpreted in the aforementioned formularies.
3. In the interpretation of the aforementioned formularies and in all questions of Faith, Doctrine and Discipline, the decisions of the ecclesiastical tribunals of the Church of Nigeria shall be final.
4. The Church of Nigeria holds as its standard of worship and authorizes for general use the Book of Common Prayer of the Church of England and the Book of Common Prayer of the Church of Nigeria.
5. The Church of Nigeria has power to make and authorize such changes and additions or alternatives to the forms of service provided in the said books and such new forms and service as may be required to meet the needs of this Church and are neither contrary to the doctrinal standards named in these Declarations nor indicative of any departure from them.
6. This Church holds that each of the three Orders of the Ministry - Bishops, Priests and Deacons - has particular duties in the Church and that this distribution of duties may rightly be attributed to the guidance of the Holy Spirit. Thus, the Bishops have a special responsibility and authority for the preservation of the truth of the doctrine of the Church for the purity of its life, and the worthiness of its worship; the Priests; in co-operation with and under the guidance of the Bishops have a special responsibility for preaching the word of God and administering the Holy Sacraments and generally for the cure of souls, and the Deacons have a special responsibility for the care of the poor and distressed, for the instruction of the young and the ignorant, and for giving assistance to the

Priests in Divine Service.

7. No fundamental amendment to the foregoing Declarations may be made unless the proposed amendment is first provisionally approved by the General Synod, is subsequently submitted to each Diocese of the Church of Nigeria for consideration and receives the approval of not less than two-thirds of the Dioceses and is finally confirmed by at least a two-thirds majority vote of the General Synod. The amendment shall thereafter be communicated to all the Metropolitans of the Anglican Communion.

## CANON II Of Election of Primate

### OFFICE OF PRIMATE

1. (1) There shall be an Archbishop, Metropolitan and Primate of the Church of Nigeria (Anglican Communion), who shall be the Bishop of Abuja Diocese and Archbishop of Abuja Province and exercise all the rights and perform all the duties of a Metropolitan and shall be the principal minister of the Church.

### ELECTION OF PRIMATE

- (2) The Archbishop, Metropolitan and Primate may be referred to simply as "the Primate" and shall be elected by the Episcopal Synod in accordance with the provisions of this Canon.

### ADVISORY COMMITTEE

2. (1) For the purpose of electing the Primate there shall be a Church of Nigeria Advisory Committee.
- (2) The Advisory Committee shall comprise one clerical member and one lay member elected for that purpose by each Diocesan Synod.
- (3) For the purpose of holding the meeting of the Advisory Committee, the members shall

elect one of their number to be the Chairman at the meeting of the Committee.

(4) One of the functions of the Committee shall be to advise the Episcopal Synod in writing on the qualifications and qualities required in the Primate.

(5) The recommendations as to the qualifications and qualities by the Church of Nigeria Advisory Committee shall be submitted in writing by a delegate of the Advisory Committee to the Dean not later than thirty days prior to the holding of the Episcopal Synod.

(6) The Dean shall circulate the recommendations to the members of the Episcopal Synod not later than fourteen days before the election of the Primate.

NOMINATION

3. The Episcopal Synod shall have the right to nominate up to four members of their own House who in their own opinion have what they consider to be the qualifications and qualities required in the Primate.

HOW ELECTED

4. (1) The Primate shall be elected by secret ballot after the nominations have ended.

(2) The candidate who shall be declared elected shall secure at least two-thirds of the votes of the total membership of the Episcopal Synod or as otherwise provided in this Canon.

TENURE OF OFFICE

5. (1) The Primate shall hold office for a period of ten years from the date of his presentation or until he attains the age of seventy years, whichever first occurs:

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Provided that his tenure may be terminated before the expiration of the term -

- (a) on the resolution of a two-thirds majority of the Episcopal Synod; or
- (b) by a majority vote of at least two-thirds of the members of the General Synod; or
- (c) upon the receipt of at least six months' notice of his intention to leave office.

RETIREMENT,  
DEATH AND  
RESIGNATION

(2) If the Primate retires, dies or resigns as Archbishop Metropolitan and Primate:

- (a) he shall cease to be Bishop of Abuja and Archbishop of Abuja Province; or
- (b) where he has not attained the age of seventy years he shall be deemed to have retired from office.

VACANCY IN PRIMACY

6. (1) When the office of the Primate is vacant by reason of death or permanent incapacity, the Dean of the Church of Nigeria shall summon the Church of Nigeria Advisory Committee to meet within two months of the date on which the vacancy occurs, to make a recommendation which shall be submitted to the Episcopal Synod to be specially summoned for that purpose within one week of the meeting of the Church of Nigeria Advisory Committee.

(2) When the Primate notifies the Dean of his intention to resign or retire and the Dean has in consultation with the Bishops accepted the resignation or retirement, the Dean shall within two months summon a meeting of the Church of Nigeria Advisory Committee, to make their recommendation to the Episcopal Synod. The recommendation of the Church of Nigeria Advisory Committee

shall be submitted to a meeting of the Episcopal Synod which shall meet within one week of the Church of Nigeria Advisory Committee meeting for the purpose of electing a successor.

PROCEDURE AT ELECTION

7. (1) On the day of the election, Holy Communion shall be celebrated by the Dean of the Church of Nigeria or another Bishop appointed by him.
- (2) The election shall be presided over by the Registrar of the Church of Nigeria. In his absence, the Dean of the Province shall appoint the Chancellor of any Diocese of the Church of Nigeria to preside.
- (3) Should the election not be determined upon the first ballot, the procedure shall be repeated a second, and, if need be, a third time.
- (4) If the election remains indecisive, a fourth ballot shall be taken and the candidates to be voted for shall be limited to the two persons with the highest votes on the third ballot.
- (5) If the election still remains indecisive, further election shall be postponed till the next day. On that day, Holy communion shall be celebrated and shall be followed by a fifth ballot which shall be decided by a simple majority of all members present and voting. If there is a tie, the candidate who is senior by consecration shall be declared elected.
- 6) A certificate issued by the Registrar or the person who has presided over the election of a Primate shall be final and conclusive as to its contents.

- (7) Any dispute arising from the election of Primate shall be determined by the Episcopal Synod with the Registrar presiding, and their decision shall be final. Provided that when there is any allegation of misconduct against the Registrar in the conduct of the election, the immediate past Registrar of the Church of Nigeria shall preside or in his absence any other legal officer of the Church elected by the Episcopal Synod.

PUBLICATION

8. As soon as possible after the election, the Dean of the Church of Nigeria (or the Episcopal Secretary) shall cause the name of the newly elected Primate to be published in all the Dioceses within Nigeria and notify all the other Metropolitans of the Anglican Communion.

CANON III

Of Election of The Dean of The Church of Nigeria

OFFICE OF  
THE DEAN

1. There shall be a Dean of the Church of Nigeria who shall be elected in accordance with the provisions of Clauses 2 and 3 of this Canon.

ELIGIBILITY TO  
BE ELECTED AS  
DEAN

2. The Dean shall be elected from among serving Ecclesiastical Provincial Archbishops.

ELECTION

3. The Dean shall be elected by the House of Bishops by a simple majority.

FUNCTIONS

4. (1) During a vacancy in the office of the Primate, or in the event of the incapacity of the Primate, duly certified by a medical doctor, the Dean shall perform the duties assigned to the Primate assigned to the Primate under

this Constitution.

(2) In the absence of the Primate, the Dean shall perform such duties of the Primate as the Primate may assign to him in writing and which shall be notified to other Bishops of the Church of Nigeria.

(3) The Dean shall perform such other duties as may be assigned to him, from time to time, by the Primate.

TENURE

5. (1) The Dean shall hold office -

(a) for a single term of five years only; or

(b) until he attains the age of seventy years,

whichever occurs first.

(2) For the avoidance of doubt-

(a) if the tenure of the Dean as Provincial Archbishop expires before the expiration of his tenure as Dean, he shall continue in the office as Provincial Archbishop until his tenure as Dean, expires; or

(b) when the tenure of a Dean expires without his attaining the age of seventy years, he shall remain as Diocesan Bishop.

INCAPACITY

6. Where the Dean is unable to perform the functions of his office by reason of ill-health or such other related reasons, the most senior Ecclesiastical Provincial Archbishop by presentation shall, act in that capacity as Dean.

OBEDIENCE  
OF BISHOPS,  
CLERGY AND LAITY

7. When the Dean is acting for the Primate in accordance with the provisions of this Constitution, the Bishops, Clergy and Laity of the Church of Nigeria shall render to him such obedience as they abound to give to the Primate.

#### **CANON IV**

#### **Of Election of a Provincial Archbishop**

OFFICE OF  
PROVINCIAL  
ARCHBISHOP

1. (1) There shall be a Provincial Archbishop who shall be the Chairman of the Provincial Council of a Province within the Church of Nigeria (Anglican Communion).

ELECTION OF  
PROVINCIAL  
ARCHBISHOP

- (2) The Provincial Archbishop shall be elected by the Episcopal Synod from the Bishops having Sees within the Province in accordance with the provisions of this Canon.

PROVINCIAL  
ADVISORY  
COMMITTEE

2. (1) For the purpose of electing a Provincial Archbishop there shall be a Provincial Advisory Committee.

- (2) The Provincial Advisory Committee shall comprise one clerical member and one lay member elected for that purpose by each Diocesan Synod of Dioceses within the Province.

- (3) For the purpose of holding the meeting of the Advisory Committee, the members shall elect one of their number to be the Chairman at the meeting of the Committee.

- (4) One of the functions of the Provincial Advisory Committee shall be to advise the Episcopal Synod in writing on the qualifications and qualities required in a

Provincial Archbishop.

(5) The Chairman of the Provincial Advisory Committee shall submit its recommendations in writing as to the qualifications and qualities proposed by the Provincial Advisory Committee to the Primate not later than thirty days prior to the holding of the Episcopal Synod.

(6) Upon receiving the views of the Provincial Advisory Committee, the Primate shall convey the views in writing to the members of the Episcopal Synod not later than fourteen days before the election of the Provincial Archbishop.

#### NOMINATION

3. The Episcopal Synod shall have the right to nominate up to four members of their own members whose Sees are within the Province concerned and who in their opinion having consideration as to the qualifications and qualities required in an Archbishop as submitted by the Provincial Advisory Committee.

#### HOW ELECTED

4. (1) The Provincial Archbishop shall be elected by secret ballot after the nominations have ended.
- (2) The candidate who shall be declared elected shall secure at least two-thirds of the votes of the total membership of the Episcopal Synod present and voting.

#### TENURE OF OFFICE

5. (1) The Provincial Archbishop shall hold office for a period of five years in the first instance from the date of his presentation or until he attains the age of seventy years, whichever first occurs:

Provided that a Provincial Archbishop who has not attained seventy years of age -

- (a) shall be eligible for re-election for a further final period of five years; and
- (b) may, at the expiration of that period of five years, remain in his Diocese as a Bishop.

RESIGNATION

- (2) A Provincial Archbishop may resign the Archbishopric without thereby resigning as Bishop of his Diocese: but if he resigns as Bishop of his Diocese, he shall cease to be Provincial Archbishop unless he is at the same time translated as Diocesan Bishop to another See within the Province.

VACANCY IN THE  
OFFICE OF THE  
PROVINCIAL  
ARCHBISHOP

- 6. (1) When the office of the Provincial Archbishop is vacant by reason of death or permanent incapacity, the Primate or in his absence, the Dean of the Church of Nigeria shall summon the Provincial Advisory Committee to meet within two months of the date on which the vacancy occurs, to make recommendations which shall be submitted to the Primate who shall present it to the Episcopal Synod to be specifically summoned for that purpose within two weeks of the meeting of the Provincial Advisory Committee.
- (2) When a Provincial Archbishop notifies the Primate of his intention to resign or retire, and the Primate, or in his absence the Dean of the Church of Nigeria shall within two months summon a meeting of the Provincial Advisory Committee, to perform its duties under the provisions of this Canon. The recommendations of the Provincial

Advisory Committee shall be submitted to the Primate which shall meet within two weeks of the meeting of the Provincial Advisory Committee for the purpose of electing a successor:

Provided that a new Archbishop shall be elected not later than three months before the expiration of his tenure, or the expiration of the notice of retirement and/or resignation.

PROCEDURE AT  
ELECTION

7. (1) On the day of the election, Holy Communion shall be celebrated by the Primate or any other Bishop appointed by him.
- (2) The election shall be presided over by the Primate or any other Bishop appointed by him.
- (3) In the event of the election not being determined on the first ballot, the procedure shall be repeated a second, and, if need be, a third time.
- (4) If the election remains indecisive, a fourth ballot shall be taken and the candidates to be voted for shall be limited to the two persons with the highest votes on the third ballot.
- (5) If the election still remains indecisive, further election shall be postponed till the next day. On that day, Holy communion shall be celebrated as directed by the Primate and shall be followed by a fifth ballot which shall be decided by a simple majority of all members present and voting. If there

is a tie, the candidate who is senior by consecration shall be declared elected.

PUBLICATION

8. As soon as possible after the election, the Primate shall cause the name of the newly elected Provincial Archbishop to be published in all Dioceses.

**CANON V**  
**Of Election of Bishops**

ELECTION OF  
BISHOPS

1. Every Bishop of the Church of Nigeria shall be elected in accordance with the procedure laid down in this Canon.

CONFIRMATION

2. Every election of a Bishop within the Church of Nigeria must be confirmed in writing by the Archbishop, Metropolitan and Primate of the Church of Nigeria before it can take effect.

OATH OF OBEDIENCE

3. At his consecration or translation, every Bishop of the Church of Nigeria shall swear an oath of Canonical obedience to the Archbishop, Metropolitan and Primate of the Church of Nigeria and to his lawful successors.

PERSONS ELIGIBLE

4. A Bishop for any Diocese in the Church of Nigeria may be elected from among the Bishops or Clergy of any diocese of the Church of Nigeria, or of any other Diocese in Communion with this Church who shall -

- (a) not be below the age of forty five years;
- (b) have been a Priest for a minimum period of fifteen years;
- (c) have a first degree in theological education.

DIOCESAN  
ADVISORY  
COMMITTEE

9. (1) There shall be in each Diocese of the Church of Nigeria an Advisory Committee to be appointed by the Synod of the Diocese to advise the Primate on the appointment of a Diocesan Bishop when a vacancy occurs in the Diocesan Bishopric.

(2) The Committee shall consist of four clerical and five lay members of the Synod of the Diocese. The lay members shall include at least one woman and also the Chancellor of the Diocese who shall be the Chairman of the Committee. It shall be the duty of the Bishop of each Diocese after every Synod to inform the Primate of the name and address of the Chairman of the Advisory Committee of his Synod.

PROCEDURE  
ON DEATH OF BISHOP

10. On the death of any Diocesan Bishop of the Church of Nigeria, the Dean or Provost of the Cathedral of the Diocese, or the Senior Archdeacon, or the Senior Priest shall, within seven days, notify the vacancy in writing to the Primate.

PROCEDURE ON  
RESIGNATION

11. On the resignation of any Diocesan Bishop of the Church of Nigeria, the Primate, after the acceptance of the resignation shall notify the same to the Diocese concerned.

PROCEDURE ON  
RETIREMENT, TRANSLATION  
AND RESIGNATION IN  
OTHER CASES

12. In the event of retirement, translation, death or permanent incapacity of a Diocesan Bishop of the Church of Nigeria or of his being divested of his ecclesiastical dignity, the Primate shall notify same to the Vicar-General of the Diocese concerned, or, where no Vicar-General has been appointed, to the Dean or Provost of the Cathedral, or to the Senior Archdeacon or the Senior Priest.

BISHOPS TO BE  
INFORMED

13. When a vacancy in the Bishopric in the Church of Nigeria occurs, by reason of death or other sufficient cause, the Primate shall instruct the Advisory Committee of the Diocese concerned to meet and forward to the Primate in writing the recommendations of the Advisory Committee in general terms on the qualifications and qualities required in the Bishop to be elected for the consideration of the Episcopal Synod.

RECOMMEN-  
DATIONS OF  
ADVISORY  
COMMITTEE

14. Upon receiving the recommendations of the Advisory Committee, the Primate shall convey them in writing to the members of the Episcopal Synod.

(1) The recommendations as to the qualifications and qualities by the Diocesan Advisory Committee shall be submitted in writing by a delegate of the Advisory Committee to the Primate not later than thirty days prior to the holding of the Episcopal Synod.

(2) The Primate shall circulate the recommendations to the members of the Episcopal Synod not later than fourteen days before the election of the Bishop.

METHOD OF ELECTION

15. (1) The Primate shall summon the Episcopal Synod to meet at such place and time as he shall appoint, and the Episcopal Synod shall elect a new Bishop to the vacant Bishopric.
- (2) The election shall be preceded by the celebration of Holy Communion.
- (3) At the election, nominations shall be made by the Primate and Bishops. The election shall be by secret ballot.

- (4) An elector may, if unable to be present, send his nomination and/or vote, in writing signed and witnessed, to the Primate.
- (5) The election shall be determined by a two-thirds majority of the total membership including those absent as well as those present whether voting or not voting.
- (6) If the election be not decided upon the first ballot, a second ballot shall be taken on the two candidates with the highest number of votes and it shall be decided by simple majority of those present and voting. In the event of a tie, the Primate or Bishop presiding shall have a casting vote.

NOTIFICATION  
OF ELECTION

16. The Primate or Bishop presiding over the election of a new Bishop shall notify the person so elected.

VERIFICATION

17. Before confirming the election, the Primate shall examine or cause to be examined by a Chancellor or Registrar of any Diocese of the Province the following documents to be presented by the Bishop-Elect-
- (i) Certificate of birth or other proof of his age;
  - (ii) Certificates or other proof of his Baptism and Confirmation;
  - (iii) His letters of Orders; and
  - (iv) Letters commendatory or dismissory from the Bishop of his Diocese or the Archbishop of his Province.

CONFIRMATION

18. Upon receiving the acceptance of the offer, the Primate shall confirm the election and inform the outgoing Bishop or Vicar-General (as the case may be) of the Diocese concerned.

DECLARATION

19. When an election of a new Diocesan Bishop is made, a Declaration of such Election shall be made and signed in duplicate, in the presence of and on behalf of the meeting (if it be done at a meeting), by the Primate or Bishop presiding over the election and one other Bishop who shall be senior in consecration to the other Bishops. One copy of the Declaration shall be kept in the Registry of the Church of Nigeria, and the other kept in the Registry of the Diocese concerned.

NOTICE OF  
ELECTION

20. Immediately after the election of a Bishop by the Episcopal Synod, the Primate shall cause the following notice to be affixed to the principal door of the Cathedral of the Diocese concerned -

"Whereas A.....  
B.....in the Diocese  
of.....  
within the Church of Nigeria (Anglican  
Communion) has been duly elected Bishop of the  
Diocese of.....if anyone can show  
any cause or just impediment why the said A.B.  
should not be consecrated to that Holy Office (or  
translated to that See), or can offer any canonical  
objection to the election or form thereof let him  
signify the same to me in writing delivered by hand  
or registered post within fourteen days from this  
date."

(Signed by the Archbishop, Metropolitan and  
Primate.) The notice shall also be proclaimed in the  
Cathedral of the Diocese during Divine Service on  
the two Sundays following.

for him, after receiving the concurrence of the Diocesan Synod by resolution, to make application to Episcopal Synod through the Primate for leave to appoint a Suffragan Bishop.

- (2) On receiving the application the Episcopal Synod shall take into consideration the state of the Diocese and shall enquire into the question whether adequate provision has been made in the Diocese concerned for the housing and maintenance of a Suffragan Bishop, and may either grant or withhold their consent to such appointment being made.
- (3) When the office of Suffragan Bishop in any diocese falls vacant it shall suffice for the Episcopal Synod alone to authorise the Bishop of the said Diocese to proceed to fill the vacancy provided no vacancy shall be filled by the Diocesan Bishop without full consultation with his Diocesan Board.
- (4) Whenever an appointment of any Suffragan Bishop is to be made, the Diocesan Bishop shall nominate a person to the Primate of the Church of Nigeria after consultation in his Diocese for election to the office.

The Primate after consultation with the Diocesan Bishop, may, in his discretion, either issue his summons to attend the Episcopal Synod to consider the nomination, or cause a postal ballot of all those entitled to attend to be held. If the nomination be approved by a simple majority of the Diocesan Bishops either at a meeting or by postal ballot, the person in

question shall be declared elected subject to the canonical confirmation of the election by the Primate through the Diocesan Bishop.

VERIFICATION,  
CONFIRMATION &  
CONSECRATION  
OF A BISHOP  
SUFFRAGAN  
OBJECTIONS TO  
APPOINTMENT  
DECISION OF  
THE PRIMATE

2. The verification of all relevant Documents of a Suffragan Bishop, the Confirmation of his appointment, notice of the Election, Objections to the appointment, Examination of Objection, Decision and Promulgation shall be as in the case of a Bishop except that the instrument of Confirmation shall be sent to the Diocesan Bishop concerned.

VOTING RIGHT OF  
A SUFFRAGAN  
BISHOP

3. A Suffragan Bishop shall -

- (a) have the right to sit, speak and vote as a member of the House of Bishops in the Church of Nigeria;
- (b) have the right to be summoned to meetings of the Episcopal Synod, and shall be entitled to speak but not to vote at such a meeting.

EPISCOPAL  
DUTIES OF A  
SUFFRAGAN  
BISHOP

4. A Suffragan Bishop shall hold the Commission of the Primate of the Church of Nigeria and shall use his Episcopal powers and exercise such authority and oversight for any work within the limits of the Diocese as from time to time may be determined for him and assigned to him by the Bishop of the Diocese, or during the vacancy of the See by the Primate. But if the Diocesan Bishop shall not assign any such duties or authority, the Suffragan Bishop shall have the right to appeal to the Primate and to the Bishops of the Church of Nigeria, who shall hear and determine the matter, provided always that the withdrawing of the Commission of a Suffragan Bishop by the Primate at the request of the Diocesan Bishop shall not become effective

until the Episcopal Synod is satisfied that he will be adequately provided for in some other way.

## **CANON VII**

### **Of Consecration and Enthronement of Bishops**

- |                                |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CONSECRATION &<br>ENTHRONEMENT | 1. | At the earliest convenient time, after the confirmation of the election of a Bishop of the Church of Nigeria, the Primate shall proceed to consecrate and enthrone the person so elected and confirmed.                                                                                                                                                                                                                                                                                                                                                                   |
| BISHOP-ELECT                   | 2. | Every Bishop-Elect shall, before his consecration, subscribe to the declaration set out in the Canon of Declarations and Subscriptions.                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| ENTHRONEMENT                   | 3. | <p>(1) The Bishops of the Church of Nigeria shall be enthroned after the manner of enthronement of a Bishop authorised in the Church of Nigeria.</p> <p>(2) After the consecration or translation of a Diocesan Bishop, the Primate shall issue a Mandate for his enthronement to the Dean, or Provost, a Chapter of the Cathedral Church, where such body is duly constituted, or otherwise to the Senior Priest of the Diocese.</p> <p>(3) The Bishop shall thereafter be enthroned after a manner of enthronement of a Bishop authorised in the Church of Nigeria.</p> |
| CONSECRATION                   | 4. | The Primate and two other Bishops or, if the Primate be unable to act, the Dean of the Church of Nigeria and two other Bishops, shall be required for a consecration: provided that with the concurrence of the Church of Nigeria Standing Committee, the Consecration of a Bishop for the Church of Nigeria may take place in any other Province in                                                                                                                                                                                                                      |

communion with the Church of Nigeria and be conducted by the Metropolitan of that Province.

CUSTODY OF  
RECORDS

5. After the consecration of any Bishop of the Church of Nigeria whether he has been consecrated in Nigeria or elsewhere, it shall be necessary that the Certificate of Election and all records connected with such consecration be deposited in the archives of the Church of Nigeria: and it shall be the duty of the Registrar of the Church of Nigeria to require the production of all such papers before enthronement. The record of enthronement shall be added thereafter.

CANON VIII  
Of Bishop's Veto in the Synod of his Diocese

BISHOPS VETO

1. The Bishop of a Diocese may veto any resolution of the Synod of his Diocese which he considers to be detrimental to the interest of the Church.

EPISCOPAL SYNOD

2. If the Bishop dissents from any resolution of a two-thirds majority of the Synod of his Diocese, a vote by Orders shall be taken, and if the Bishop, as representing his Order" after having expressed his intention of exercising his veto, shall then negate the decision of a two-thirds majority of the Clergy and Laity then present in Synod" the Dean or Provost, or the Senior Priest or any other member of the Synod present (if thereto empowered by resolution of the aforesaid Clergy and Laity) may appeal against the Bishop's decision to the Primate (or Dean of the Church of Nigeria) and Bishops of the Church of Nigeria who shall hear and determine the matter in the Episcopal Synod. And if the Episcopal Synod shall override the Bishop's veto, the said Bishop shall promulgate the resolution in his Diocese within seven days and it shall have the same force and effect from and after

ABSENCE OF  
PRIMATE

5. The functions of the Primate in the preceding section shall, in the event of the Primate coming under the operation of its provisions, be exercised by the Dean of the Church of Nigeria.

## CANON X

### Of Resignation and Retirement of Bishops

RESIGNATION  
OF BISHOP

1. If a Bishop desires to resign his See, he shall send his letter of resignation to the Primate (or, if he himself be the Primate, to the Dean of the Church of Nigeria). The Primate (or, in the case of the resignation of the Primate, the Dean of the Church of Nigeria) in consultation with the Bishops of the Church of Nigeria, shall judge whether the resignation should be accepted or not.

COMPULSORY RETIREMENT

2. Any Bishop of the Church of Nigeria may, upon representation made to the Primate by at least two Bishops of the Church of Nigeria be asked, or if necessary required to resign his See. He shall be given the fullest opportunity to defend himself and his defence shall be given careful consideration. If the Primate in consultation with the other Bishops of the Church of Nigeria decides that the Bishop is unable adequately to discharge the duties of his office, he shall be required to retire.

PENSIONS FOR BISHOPS

3. It shall be the duty of the Diocese to see that satisfactory provision is made for the pension of the Bishop on his retirement.

RETIREMENT ON  
GROUNDS OF AGE

4. Every Bishop of the Church of Nigeria shall be deemed to retire from office on attaining the age of seventy years.

VOLUNTARY RETIREMENT

5. A Bishop may, with the appropriate notice to the Primate retire before he attains the age of seventy years:

QUORUM

6. A quorum for a meeting of the Episcopal Synod shall be one-third of total number of Diocesan Bishops including the Primate if present.

**CANON XIV**  
**Of Proceedings at General Synod**

COMPOSITION

1. The General Synod shall consist of:
  - (a) The House of Bishops;
  - (b) The House of Clergy; and
  - (c) The House of Laity;which three houses shall be constituted in accordance with the provisions of the Constitution of the Church of Nigeria (Anglican Communion).

NOTICE OF  
GENERAL SYNOD

2. (1) The Primate (or other Bishop convening the General Synod as provided in the Constitution) shall give to all the Bishops of the Church of Nigeria at least six calendar months' notice of every ordinary session of the General Synod; and the Bishop of each Diocese shall cause such notice to be published throughout his Diocese and sent to members of the General Synod in his Diocese through their registered address within four weeks of receiving such notice.

AGENDA

- (2) The agenda for the General Synod shall be prepared by the Primate in consultation with the Standing Committee of the Church of Nigeria.

SPECIAL SESSIONS

3. When a special session of the General Synod is convened, two months' notice shall be sufficient and the Primate shall specify the purposes for which the Synod is being summoned.

elect one of their number to form a panel from which the Primate shall be entitled to draw such persons as may be required to fill vacancies which may occur in the membership of the Committee through death, resignation or any other cause.

VOTING BY HOUSES

3. At the request of any member of the aforesaid Committee voting upon a motion before the Committee shall be by Houses

QUORUM

4. The Quorum for the meeting of the Standing Committee of the General Synod at which the Primate or Dean shall be present shall be one-third of its members.

**CANON XVI**  
**Of Ecclesiastical Discipline**

OFFENCES

1. The following are the charges or accusations on which the Primate, a Provincial Archbishop, a Bishop, a Priest or a Deacon in the Church of Nigeria (Anglican Communion) may be presented for trial:

(a) A conviction by a court of competent jurisdiction for felony or other allied offences;

(b) "Sexual immorality" the words "includes but is not limited to homosexuality, lesbianism, bi-sexuality, paedophilia, adultery, fornication, rape and other sexually abhorrent behaviour;

(c) Conduct giving just cause for scandal or offence;

(d) Heresy or false doctrine;

(e) Schism, or acceptance of membership in a

HERESY

4. Any accusation of heresy or false doctrine must aver that the accused has taught, published or otherwise publicly promulgated, some doctrine or opinion repugnant to or at variance with the Faith and Doctrine of the Church as contained in the Fundamental Declarations and must specify the particular passages of these Standards and Formularies to which the said accusation refers, as well as the particular statements of the accused which may be the subject of the charge.

ACCUSATION

5. The accusation shall be entitled "Articles of Presentment."

JUDGEMENT TO  
BE ACCEPTED

6. With the Articles of Presentment, the presenters shall transmit a minute of reference and agreement to the effect that the judgment of the Tribunal in all matters contained in the Articles of Presentment shall be held to be final in the cause, saving such rights of appeal as may be allowed by the regulations of the Church of Nigeria.

CLERICAL  
ASSESSORS

7. Clerical Assessors, appointed to assist in the hearing of a case shall answer such questions as shall be put to them by the Court and shall be a liberty to tender to the Court/Tribunal their opinion on questions that may arise.

LAY ASSESSORS

8. Lay Assessors, being persons who shall be communicant members and, if possible, learned in the law, shall be appointed in every case except the charge be one of heresy; and it shall be competent for them to give their opinion upon such questions as shall come before the Court/Tribunal.

- |                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CHALLENGE                       | 9. The accused shall have the right to challenge any two of the Assessors nominated to sit at his trial, and the place of the Assessors so challenged, if the challenge be upheld, shall be filled by the appointment of others by the President of the Tribunal, which appointment shall be final.                                                                                                                                                                                            |
| JUDGEMENT                       | 10. The Tribunal shall be bound to consider, but not necessarily to accept the opinions of the Assessors before pronouncing judgment.                                                                                                                                                                                                                                                                                                                                                          |
| COUNSEL                         | 11. The accused shall be entitled to have the aid of counsel or an agent and may submit his defence in writing. The presenters also may be aided by counsel, and be represented by any agent they may appoint (being a Communicant member).                                                                                                                                                                                                                                                    |
| CONDITION OF TESTIMONY          | 12. No testimony shall be received at the trial except from witnesses who shall before giving their evidence, make an affirmative answer to the following question -<br><br>"Do you promise, in the presence of Almighty God, that you will speak the whole truth, whether in the declaration which you shall make, or in the answer which you are about to give?"                                                                                                                             |
| TESTIMONY BEFORE A COMMISSIONER | 13. If it be necessary to take the testimony of an absent witness, or witnesses, such testimony shall be taken, in the form and manner above provided, by a Commissioner or Commissioners to be appointed for that purpose, and the evidence shall be reduced to writing and forwarded to the court, which evidence shall be read and used at the trial; provided, however, that no application for the appointment of such Commissioner or Commissioners shall be made by either party to the |

TRIAL OF BISHOPS

22. A Bishop of the Church shall, where charges are brought against him be tried by a court consisting of the Primate and the Bishops of the Church of Nigeria. The Primate shall preside. The Bishops except the accused, shall be summoned by the Primate to the hearing of the charge; but no trial shall take place unless there be present at least six Bishops, including the Primate, but excluding the accused.

TRIAL OF PRIMATE

23. Should the Primate be the accused, the Dean of the Church of Nigeria shall preside and the sentence of the court shall be signed by him and at least three other Bishops: Provided that no trial of the Primate shall take place unless there be present at least four Bishops, including the Dean of the Church of Nigeria but excluding the accused.

HOW CHARGES ARE TO BE MADE

24. No charge shall be received against a Bishop of the Church unless it be preferred, if it relates to a matter of Faith and Doctrine, by at least five Priests of the Diocese, or by a Bishop of the Church or, if it relates to other matters, by at least three Priests of the Diocese and also three Lay Representatives in the Synod of the Diocese of the accused Bishop.

ACCUSATION

25. In the case of an accusation against a Bishop, the Articles of Presentment shall be delivered to the Primate, except he be the accused in which case they shall be delivered to the Dean of the Church of Nigeria.

authenticated and forwarded by the President to the Bishop who shall accept the same and pass such sentence thereon as the Canons of the Church shall direct.

HOW CHARGES  
ARE TO BE LAID

35. Any charge against a Priest or a Deacon of the Church must proceed from a Priest of the Church or from the Church-wardens of the Parish in which he is serving, or from three or more communicant members. The Bishop may also himself, if he shall see fit, order proceedings to be commenced against any Clergyman whose conduct he believes to have just cause for scandal or offence, and in such a case it shall be sufficient for one Presenter appointed by the Bishop to deliver the Articles of Presentment.

BISHOP MAY  
VETO PROCEEDINGS

36. The Articles of Presentment shall be laid before the Bishop who shall decide, in the first instance, whether they are proper to be admitted or not. If the Bishop shall refuse either to institute an enquiry, or to proceed to try the accused, he shall intimate his refusal to the presenters in writing within thirty days after the receipt of the Articles of Presentment: and in such case it shall be competent for the presenters to apply to the Primate; or, if the Primate be the Bishop who refuses, to the Episcopal Synod through the Dean of the Church of Nigeria; and if the Primate or the Episcopal Synod think fit, he or they may require the Bishop to proceed: provided always that notice of intention to apply shall have been given in writing to the Bishop of the Diocese within twenty-one days after his refusal to act and that the application together with a copy of the Articles of Presentment, shall have been forwarded to the Primate or Dean of the Church of Nigeria within thirty days after receipt of the Bishop's refusal.

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MANNER OF  
SERVING THE  
CHARGE

37. Notice of the intention to start proceedings, containing a statement of the charge and a copy of the information of which it is founded, shall be served upon the person accused, together with the names of those chosen to be assessors, thirty days at least before the hearing of the case.

SUSPENSION  
PENDING TRIAL

38. Any Priest or Deacon within the Church of Nigeria if accused of immoral conduct, may be suspended from the exercise of ministerial duties by the Bishop should it appear to the Bishop to be necessary for the prevention of scandal: provided that a trial on the charge alleged shall take place as soon as possible.

LICENSED PRIEST  
OR DEACON MAY  
CLAIM TRIAL IN  
BISHOP'S COURT

39. Any Priest or Deacon holding the licence of a Bishop may, if he so desires, have any charges which may be brought against him tried by the Bishop's Court; and, if such charge be proved, the Bishop shall determine what sentence shall be sufficient, and there shall be no appeal if the sentence proceeds no further than the withdrawal of the licence.

APPEAL TO  
CHURCH OF  
NIGERIA  
TRIBUNAL

40. If any Priest or Deacon against whom a judgement or sentence shall have been pronounced by any Bishop's court shall feel aggrieved by such judgement or sentence, it shall be lawful for such person (except in such cases as are otherwise provided for in these Canons), to appeal to the Church of Nigeria Tribunal of Appeal: provided such appeal be notified in writing by the Appellant to the Bishop of the Diocese within thirty days after such judgement or sentence shall have been pronounced.

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TRIBUNAL OF  
APPEALS

41. The Church of Nigeria Tribunal of Appeal (except as provided below) shall be the Episcopal Synod, and the Primate (or if he is absent the Bishop acting under his commission) shall preside in this Tribunal. If the appeal is from the judgement or sentence of the court of the Primate himself, the Dean of the Church of Nigeria shall preside. The Primate, or the Dean as the case may be shall before the assembling of the Tribunal, nominate three Clerical Assessors, and he shall, except in charges of heresy, also appoint one or two persons as Lay Assessors as provided in these Canons.

PRIMATE MAY  
HEAR CERTAIN  
APPEALS

42. In all cases not involving questions of Faith or Doctrine, except the appeal be from a judgement or sentence of the Court of the Primate himself, it shall be sufficient for the Primate along with Clerical and Lay Assessors (as provided above) to hear and decide the appeal unless the Primate himself judges it expedient to convene the meeting of the Episcopal Synod, or unless two Bishops of the Church shall request him to convene the meeting of the Episcopal Synod to hear and decide the appeal.

WHEN JUDGES  
DISAGREE

43. If the judgement or sentence of a Bishop's Court in question of Faith and Doctrine fail to be affirmed on appeal by reason of only two Bishops being present at the meeting of the Episcopal Synod and not agreeing as to the judgement or sentence, it shall be competent for the presenters, with the consent of the Bishop of the Diocese, to bring the case again before the Episcopal Synod, at its next meeting, on giving the notice required for appeals.

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NO APPEAL  
ON FACT

44. There shall be no appeal to the Church of Nigeria Tribunal of Appeal as regards the facts of any case, but only as to the Conclusion to be drawn from those facts which the Bishop's Court shall determine to be proved. But it shall be competent for the Primate, on receiving the case on appeal, to direct that the case, as regards the facts that are charged, shall be reviewed by the Bishop's Court.

NO APPEAL  
WITHOUT LEAVE  
IN MINOR CASES

45. There shall be no appeal from a judgement or sentence for any offence for which no higher sentence than suspension for three months can be pronounced, except it be allowed by the Bishop's Court or directed by the Primate.

SUSPENSION OF  
SENTENCE

46. In case of an appeal to the Church of Nigeria Tribunal of Appeal sentence shall be suspended during the appeal, except in case of a sentence for immoral conduct or heresy.

POWERS OF  
PROVINCIAL  
TRIBUNAL

47. The Church of Nigeria Tribunal of Appeal may affirm, modify, or amend the judgement or sentence appealed against, or pass any other judgement or sentence in the case, as it thinks just.

CONDITIONS  
OF APPEAL  
GROUNDS

48. Every appellant from a judgement or sentence of a Bishop's Court must within thirty days after the date of the judgement or sentence as the case may be, lodge with the Registrar of the court his grounds of appeal supported with reason and must give a bond, to be approved by the said Registrar to defray all necessary charges in prosecuting the appeal, and such costs as may be judged by the Court or Tribunal of Appeal.

JUDICIAL SENTENCE

49. Any Priest or Deacon, found guilty after due trial, shall be subject to any of the following sentences:

FOR FALSE  
TEACHING

(a) For publicly and advisedly maintaining doctrines or opinions contrary to the teaching of the Church, unless he shall formally retract the same within fifteen days after a sentence is given,

(i) inhibition from preaching or suspension for a term not exceeding three years: provided that if at the expiration of any such sentence he shall refuse to abjure such doctrines or opinions, he shall thereupon be deprived; or

(ii) deprivation,

FOR WILFUL  
NEGLECT IN  
CONDUCT OF  
SERVICE

(b) For refusing or wilfully neglecting to use in public prayer and administration of the Sacraments and other Holy Offices the forms authorised under the fundamental principles of this constitution: formal admonition or suspension for a term not exceeding twelve months; and further, Until he shall have given an undertaking to conform in future.

FOR REFUSAL  
OF DUTY

(c) For refusing, without good and sufficient reason, to perform for any member of the Church, belonging to his cure and not Under the Censure of the Church, any act appertaining to the ministerial office, formal admonition or suspension for a term not exceeding three months: and further, Until he shall have given an Undertaking to Conform in future.

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FOR NEGLECT  
OF DUTY

(d) For general neglect of duty, formal admonition by the Bishop or suspension for a term not exceeding twelve months; in addition he shall give an undertaking to conform in future.

FOR IMMORALITY

(e) For immoral conduct, suspension for a term not exceeding twelve months, or deprivation.

FOR UNBECOMING  
CONDUCT

(f) For scandalous conduct or offence unbecoming of a Clergyman, formal admonition or suspension for a term not exceeding six months; and in addition he shall have given undertaking to Conform in future.

FOR  
DISOBEDIENCE

(g) For wilful contravention of any enactment of the General Synod or of the Diocesan Synod (in matters not otherwise provided for), or for refusal to obey lawful command of his Ordinary, formal admonition or suspension for a term not exceeding six months; in addition, he shall give an undertaking to conform in future.

SPECIAL  
SENTENCE

(h) In addition to any of the above sentences, the Bishop may suspend the accused from receiving Holy Communion for such a period as he may determine.

HERESY, SCHISM  
ETC.

(i) In case of Heresy, Schism, acceptance of membership in a religious body not in communion with the Church of Nigeria, Apostasy a sentence of excommunication or deposition may be passed unless in the meantime the accused has publicly abjured, in which case a lesser sentence may be imposed.

DEFINITIONS

50. The judicial sentence above mentioned shall be interpreted as follows -

FORMAL ADMONITION

(a) By a formal admonition is meant a written warning delivered either in public or in private, as the circumstances may seem to the Bishop to require.

SUSPENSION

(b) Suspension means the removal of a Clergyman from a named charge or office for such period as may be determined in the sentence of suspension. No clergyman suspended, has, during the period of suspension, any claim to any salary; or office, and the sentence of suspension shall set forth whether he is deprived of all or any apart of such salary and allowances.

DEPRIVATION

(c) Deprivation means the final removal of a Clergyman from a named charge or office.

WITHDRAWAL OF LICENCE

(d) A Bishop may at his discretion withdraw or not withdraw his licence from a clergyman who is suspended or deprived of his charge or office.

DEPOSITION

(e) Deposition or permanent inhibition means the withdrawal from a clergyman of all power to exercise his sacred calling either publicly or privately within the Church of Nigeria. A sentence of deposition shall of its own force cancel the licence of the deposed Clergyman.

REFUSAL TO ABJURE

(f) By refusal to abjure is meant failure to deliver to the Bishop, or in the case of Bishop, to the Primate, within fourteen days after the expiration of a sentence of inhibition or

- (d) schism or acceptance of membership in a religious body not in communion with the Church of Nigeria (Anglican Communion);
- (e) apostasy from Christian faith;
- (f) violation of the Constitution, Canons and Resolutions of the General Synod of the Church of Nigeria (Anglican Communion) or of the Constitution of any Diocese or acts calculated to subvert either or both Constitutions;
- (g) refusal or failure to obey a directive given by the General Synod through the Primate or the Diocesan Bishop pursuant to powers conferred by virtue of the relevant provisions of the Constitution of the Church of Nigeria; and
- (h) being a member of a secret society or cult, and failure or refusal to renounce membership of the same when required to do so by a Bishop.

INVESTIGATION

- 2. (1) If a member of the Church is accused of an ecclesiastical offence, the complaint shall in the first instance be investigated by a Church Committee appointed by the Parish Council from outside its membership and the findings of such Committee shall be submitted in writing to the Vicar.
- (2) The Vicar shall review the case and if he considers the offence to have been committed, shall submit his recommendation in writing to the Bishop through his Archdeacon within one month of the submission of the case to him.

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BISHOP

3. The Bishop, after such consultation as he may deem necessary, shall decide whether the alleged offender shall be subjected to any punishment and shall notify the Vicar and the Church Committee through the Archdeacon of his decision in writing before the lapse of two months from the receipt by him of the recommendation of the submission by the Vicar.

PUNISHMENT

4. The punishment which the Bishop may administer to any member found guilty of an ecclesiastical offence shall be any of the following:
- (a) ex-communication;
  - (b) removal from any office held in the Church or Diocese;
  - (c) disqualification from partaking of the Holy Communion, or being nominated to Diocesan office, the Parish Church Council, or any office in the Church or in any Church Society either indefinitely or for such period as the Bishop shall think fit;
  - (d) if the offender be a Lay Reader, Catechist, Warden, Sides man, member of the Parish Church Council or Diocese, suspension from office either indefinitely or for such period as the Bishop shall think fit.

DIOCESAN BOARD  
MEMBER

5. If any member of the Diocesan Board is alleged to have committed an ecclesiastical offence in relation to his duties as a Diocesan official, the Diocesan Bishop shall set up a committee which shall investigate the allegation against him and submit a report and recommendation to the Bishop. If the Bishop is satisfied that the allegation has been proved, the Bishop may impose any punishment prescribed in this Canon.

REFERENCE BY  
BISHOP

6. The Bishop may, at any time on his own initiative, if he has reasonable cause to believe that any offence specified herein may have been committed by any person, refer the matter to the Priest in charge of the Parish Church to which he belongs or at which he worships regularly or to a Committee of the Diocesan Board appointed by the Bishop. Thereafter, the provisions of Clauses 2, 3, 4 and 5 of this Canon shall apply.

STANDING  
COMMITTEE MEMBER

7. Where any member of the Standing Committee of the Church is accused of an offence under Clause 1(g) above, the Standing Committee shall set up a Committee not exceeding three in number which shall investigate the allegation against him and submit a recommendation to the Primate who shall, if satisfied that the offence has been committed, impose any punishment prescribed in Clause 4 hereof.

APPEALS

8. (1) All appeals and correspondence as appropriate, shall be channelled through the Vicar, the Archdeacon, the Bishop, or the Provincial Archbishop to the Primate.  
(2) The decision of the Primate shall be final.

#### CANON XVIII Of Services of the Church

SERVICES OF THE  
CHURCH: POWER  
TO MAKE SERVICES  
ADAPTATIONS

1. The Episcopal Synod shall have power to make such adaptations and abridgements of, and addition to, the Services of the Church as may be required from time to time.

DIOCESAN SERVICES

2. It shall not be permissible for a Diocesan Bishop to authorize for use in his Diocese any alterations in a Service approved by the Episcopal Synod unless the Episcopal Synod, or a body authorised by it for the purpose, has approved the alteration as suitable in itself, as being required by the conditions of the

Diocese and as not introducing any difference of substance. He shall not authorize for use in his Diocese any Liturgical Services or Occasional Offices or any adaptations, abridgements or additions in such Services unless the Episcopal Synod or a body authorised by it for the purpose, has approved the Services or alteration. The Diocesan Bishop shall, subject to the Constitution of the Church of Nigeria, have freedom to authorise services for special occasions in his Diocese, and for occasions not otherwise provided for.

TEMPORARY  
EXPERIMENT

3. Notwithstanding the regulations contained in the foregoing Clause, it shall be permissible for a Diocesan Bishop after consultation with the House of Clergy and his Diocesan Synod and with the approval of the Episcopal Synod, to authorise for a period not exceeding two years such experimental adaptations, abridgements, or additions to any Liturgical Services or Occasional Offices as he may think fit: provided that such experimental adaptations, abridgements, or additions shall not continue to be authorised beyond the said period of two years without the approval of the Episcopal Synod or a body authorised by it for the purpose.

**CANON XIX**

**Of Declarations and Subscriptions**

DECLARATION  
OF SUBMISSION

1. No one shall be admitted to any office in the Church of Nigeria (Anglican Communion), nor shall he be entitled to receive any income, emoluments or benefit from or out of any property held under the authority of the General Synod, unless he shall have signed a declaration, according to the form, if any, prescribed by the General Synod, of submission to the regulations of the Church of Nigeria relating to such office: provided that the General Synod may dispense with this requirement in the case of particular officers.

DECLARATION BY  
BISHOP-ELECT  
DECLARATION  
CLERGY

2. The following Declarations shall be made and subscribed before the Primate, or some person duly appointed by him, by all Bishops-Elect of the Church of Nigeria, and before the Bishop by persons to be admitted to Holy Orders, and by all Priests and Deacons to be admitted to any office in the Church of Nigeria (Anglican Communion):

(i) **The Declaration of Belief**

I..... now to be ordained Deacon/Priest/Bishop do so affirm, and accordingly declare my belief in the truth which is revealed in the Holy Scriptures and set forth in the Catholic Creed and to which the historic formularies of the Church of Nigeria bear witness: and in public prayer and administration of the Sacraments. I will use only the forms of service which are authorised or allowed by Canons.

(ii) **The Declaration of Submission to Synod**

I do also declare that I consent to be bound by the regulations of the Diocese/Church of Nigeria and Canons which have been made, or which may hereafter be made by the Diocesan/Church of Nigeria Synod or may otherwise have lawful effect in the Diocese/Church of Nigeria.

(iii) **The Oath of Canonical Obedience**

(The Deacons/Priests/Bishop holding the Bible in uplifted right hand will say):

.....do swear by Almighty God that I will pay true and canonical obedience to the Bishop of..... Diocese/Primate of the Church of Nigeria and his successors in all things lawful and honest.

- (v) that such defects of personality shall have been shown to exist as to have made the continuance of the marriage impossible.
- (g) No such judgement shall be construed as reflecting in any way upon the legitimacy of children or the civil validity of the former relationship;
- (h) Every judgement rendered under this Canon shall be lodged in the Diocesan Registry;
- (i) Any person in whose favour a judgement has been granted under the provisions of this Canon may be married by a Clergyman of the Diocese in which the judgement is given. If the marriage is proposed to be solemnized in another Diocese than the one in which the judgement is given, the said judgement shall have been previously submitted to and approved by the Bishop of that Diocese.

MARRIAGE  
OR  
CHRISTIAN

- 3. (1) Where two baptized persons are living together as man and wife, their union not having been solemnized by the Rites of the Church, the Bishop may at his discretion give permission for one or both of the persons to be presented for Confirmation and/or admitted to Holy Communion; provided that the Bishop shall first be satisfied inter alia that the persons have been married under native customary law or under some other generally accepted law and that they are without other partners.

- (2) The wives of a polygamist may, subject to the provisions of Clause 5(5) of this Canon be admitted to Holy Baptism and shall not be precluded from Confirmation and Holy Communion solely on account of such marital circumstances.

MISCELLANEOUS  
RULES

5. (1) A Communicant Member of the Church who marries a non-Christian, except it be within the terms and conditions of Clause 2(2) of this Canon shall be suspended from the reception of Holy Communion until such time as, in the discretion of the Bishop, he or she shall be restored thereto, or until such time as the non-Christian partner shall have been baptized and all other conditions contained in this Canon relevant to such a case have been fulfilled; such restoration to Holy Communion shall not include the remaining privileges of Communicant status until the non-Christian partner shall have been baptized.
- (2) Communicant member of the Church who, having obtained a divorce, contracts a new union except as provided in Clause 2(4) of this Canon shall automatically be suspended from the reception of Holy Communion.
- (3) Confirmed members of the Church who are living together as man and wife under native customary law or other generally accepted law and without other partners but who are not eligible to be married by the Rites of the Church during the lifetime of a former partner may nevertheless, at the discretion of the Bishop be readmitted to Holy Communion; such readmission shall not be

institution recognised by the Church of Nigeria (Anglican Communion).

2. Any person who does not have the above qualifications, shall not be ordained as a Priest of the Church and accorded the rights and privileges appertaining thereto.

## **CANON XXII Of Membership**

1. The membership of the Church of Nigeria shall be open to all persons who accept the aims and objectives and the doctrines of the Church as contained in the Constitution of the Church and in the Thirty-nine Articles of Religion.
2. No person shall be considered a member of the Church of Nigeria (Anglican Communion) unless he is accepted as a member by one of the Dioceses of the Church in compliance with the Constitution of the said Diocese.
3. In accordance with the doctrines of the Church of Nigeria and/ or the Constitution of a Diocese, a member shall be baptized, and may in addition be confirmed or unconfirmed, married or unmarried, financial or non-financial.
4. No person shall be a member of the Church of Nigeria (Anglican Communion) and at the same time a member of any other religion or faith or secret society or cult.
5. Any member of the Church of Nigeria (Anglican Communion) who forms another Church, or joins another Church not in communion with the Anglican Church or espouses another religion, or denounces or renounces the doctrines of the Church of Nigeria (Anglican Communion) shall be

## VISION STATEMENT

**"THE CHURCH OF NIGERIA  
(ANGLICAN COMMUNION)  
SHALL BE BIBLE-BASED,  
SPIRITUALLY DYNAMIC, UNITED,  
DISCIPLINED, SELF-SUPPORTING,  
COMMITTED TO PRAGMATIC  
EVANGELISM, SOCIAL WELFARE  
AND A CHURCH THAT  
EPITOMIZES THE GENUINE LOVE  
OF CHRIST."**

EXH C

# Ike, Ike & Associates

LEGAL PRACTITIONERS

A. O. U. 141, Enugu

Phone: 08034009707 & 08091711111

Email: [ic@ikeandassociates.com](mailto:ic@ikeandassociates.com)

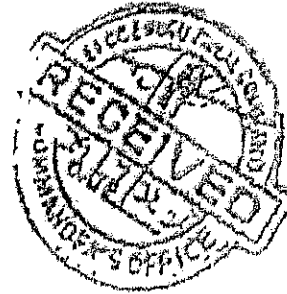
Enugu of Law

3, Cay Street,

Enugu, Enugu.

28<sup>th</sup> July, 2025

The Zonal Director  
(Enugu Zonal Directorate)  
Economic & Financial Crimes Commission,  
Federal Government College Road,  
Enugu



Dear Sir,

**COMPLAINT OF MASSIVE CRIMINAL STRIPPING AND  
STEALING OF ASSETS OF CHURCH OF NIGERIA (ANGLICAN  
COMMUNION), AWKA DIOCESE BY ARCH-BISHOP, HIS GRACE,  
REV. ALEXANDER CHIBUZO IBEZIM WITH LOOMING  
CONSEQUENCE OF RETRENCHMENT OF HUNDREDS OF  
STAFF OF DIOCESE OF AWKA (CHURCH OF NIGERIA)**

We act for and on the instructions of Prince Echezona Bonu Onuogbo of St. Faith Cathedral, Awka, Anambra State (hereinafter referred to as "our client"). It is our instruction to lodge this complaint of economic crime to you.

1. Our client was born a Christian of Anglican faith, and his membership of Church of Nigeria (Anglican Communion) dates back for over 60 years. What reduces our client to tears and anguish is the on-going monumental stealing and stripping of the assets of Diocese of the Church Awka by the incumbent, Bishop of the Diocese of Awka and Arch Bishop of the Province of Niger, His grace, Rev. Alexander Chibuzo Ibezim. His actions have led to massive loss of revenue to the Church, with resultant effect to lead to massive job losses and budgetary cuts which will adversely affect the running of the church, the

|                                                                              |                |
|------------------------------------------------------------------------------|----------------|
| ✓10 One(1) plot of land at Ngozika Estate, Awka sold to Mr. Victor Agumadu   | 55,000,000.00  |
| ✓11. One(1) plot of land at Ngozika Estate, Awka sold to a Lady              | 38,000,000.00  |
| ✓12. One(1) plot of land at Ngozika Estate, Awka sold to Hon. Anayo Okpalake | 55,000,000.00  |
| Total                                                                        | 752,000,000.00 |

The whopping sum of seven hundred and fifty-two million naira (N752,000,000.00) realized from the fraudulent sales of lands of Diocese of Awka, triggered off cold war between the suspect and his Registrar, Barr. Chris Adimora, who is now insisting that he will be given a piece of the cake in the name of being paid 10% commission of the known land sales, amounting to the sum of seventy million naira (N70,000,000.00). Barr Adimora had in a letter of 9<sup>th</sup> April, 2023, addressed to the suspect, demanded to be paid commission, and which demand letter is herein attached and marked ANNEXURE "B".

- 7 The suspect having tasted the chalice of embezzling properties of the church, is now intoxicated, and getting ready for another round of sales of the church properties, and has called up the Diocesan Land Committee's Secretary, Ven. Jason O. Onyeakagbusi to submit to him the updated list of all Diocesan lands. The said Secretary has now sent to him the updated list of Diocesan lands dated 17<sup>th</sup> June 2023, which lands are now earmarked for immediate disposal, unless stopped by your Commission. The copy of the updated list of Diocesan lands are attached and marked ANNEXURE "C".

In the light of foregoing, we beseech and enjoin you to use your good offices to investigate this complaint, and bring the suspects and his collaborators to book, and edify the Laws of Nigeria.

Yours faithfully,

Chief G. Tagbo Ike, SAN



EXH D

Wednesday, August 13, 2025.

Hon. Justice Babasola Ogunade  
Chancellor of Lagos West.

Dear Sir,

RE: CONSTITUTION OF PANEL ON INQUIRY INTO THE MANAGEMENT AND DISPOSAL OF ASSETS OF THE CHURCH OF NIGERIA, DIOCESE OF AWKA UNDER THE AUTHORITY OF THE MOST REV'D ALEX C. IBEZIM.

Calvary greetings to you in the name of our Lord Jesus Christ.

2. The firm of Ike, Ike & Associates have copied us of the above complaint against the Most Rev'd Dr Alex Ibezim, Archbishop of the Niger Province and Bishop of Awka Diocese.

3. The documents speak volumes about the purported sale of Diocesan properties and assets without due process.

4. To avoid undue negative attention and embarrassment caused to the Awka Diocese in particular and the Church of Nigeria in general, we have prayerfully decided to constitute a Visitation Panel with the following as Chairman and members -

- |                                                                |   |           |
|----------------------------------------------------------------|---|-----------|
| a) Hon. Justice Babasola Ogunade<br>Chancellor, Lagos West     | - | Chairman  |
| b) Hon. Justice Nnena Otti<br>Chancellor, Ohaji-Egbema Diocese | - | Member    |
| c) Hon. Justice Taiwo Taiwo,<br>Chancellor, Diocese of Ondo    | - | Member    |
| d) The Rt Rev'd Ishaya Baba<br>Bishop of Zaria                 | - | Member    |
| e) The Ven. Syrenius D. Okoriko                                | - | Secretary |

To do the following:

- (a) Investigate the allegations with regard to the management and disposal of the assets of the Church of Nigeria, Diocese of Awka under the authority of the Most Rev'd Alex C. Ibezim as contained in the petition dated 26th Aug, 2024.

- (b) Investigate the looming consequence of retrenchment of hundreds of staff of the Diocese;
- (c) Determine the veracity or otherwise of the allegations;
- (a) Undertake such other actions as will enable us take informed decision(s) on the matter;
- (b) Make such recommendation(s) as may be deemed appropriate under the circumstances.

4. Please note that the duration of this assignment is 4 weeks from the date of inauguration which is scheduled for **Monday, 18th day of August, 2025** at 11am via Zoom.

The link will be forwarded to you as soon as possible.

Yours in the Christ,



**The Most Rev'd Henry C. Ndukuba, MA, BD, MA (Ed), DD**  
Archbishop, Metropolitan and Primate of All Nigeria.

EXH E

IN THE INVESTIGATION/VISITATION PANEL/COMMITTEE SET UP  
BY THE PRIMATE ON AWKA LAND MATTERS REGARDING  
COMPLAINT OF MASSIVE CRIMINAL STRIPPING AND STEALING  
OF ASSETS OF CHURCH OF NIGERIA (ANGLICAN COMMUNION)  
AWKA DIOCESE BY ARCHBISHOP ALEXANDER CHIBUZO IBEZIM  
HOLDEN AT ST MATTHIAS HOUSE, GUDU, ABUJA

BETWEEN:

PRINCE ECHEZONA BONTI ONUIGBO

----- ACCUSER

AND

MOST REV. ALEXANDER CHIBUZO IBEZIM, PhD.  
(ARCHBISHOP OF THE PROVINCE OF THE NIGER AND BISHOP OF  
THE DIOCESE OF AWKA (ANGLICAN COMMUNION))

----- ACCUSED PERSON/OBJECTOR

NOTICE OF PRELIMINARY OBJECTION

TAKE NOTICE that this Honourable Panel/Committee or Body shall be moved on Friday, the 29<sup>th</sup> day of August, 2025, at the hour of 9 o'clock in the forenoon or so soon thereafter as counsel may be heard on behalf of the Accused Person/Objector to raise preliminary objections against the Investigation/Visitation Panel conducting any hearing or investigation in respect of the purported letter dated 28<sup>th</sup> July, 2025 written to the Economic and Financial Crimes Commission on the instructions of one Prince Echezona Bonti Onuigbo.

The preliminary objections are:

1. Prince Echezona Bonti Onuigbo has no legal capacity or requisite constitutional capacity or standing to lodge any complaint against the accused person/objector in his capacity as a Bishop of the Diocese of Awka (Anglican Communion) and failed to follow due process.
2. The instant Investigation/Visitation Panel or Body or Committee set up by the Archbishop, Metropolitan and Primate of the Church of Nigeria (Anglican Communion) is not properly constituted and lacks the jurisdiction to entertain, or carry out investigation in respect of the said purported letter dated 28<sup>th</sup> July, 2025, written to the Economic and Financial Crimes Commission on the instructions of one Prince Echezona Bonti Onuigbo.

AND FURTHER TAKE NOTICE that the grounds upon which the said objections are based are set out below.

WHEREFOR the Accused/Objector shall pray for:

1. AN ORDER striking out the purported letter dated 28<sup>th</sup> July, 2025 for lack of jurisdiction to entertain it.
2. AN ORDER declining jurisdiction to conduct or hearing or investigation on the said purported letter dated 28<sup>th</sup> July, 2025.

The instant preliminary objections are argued principally to safeguard the sanctity, inviolability, supremacy, binding force, and potency of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, as amended, and maintain law and order, the Rule of Law, due process, and discipline in the household of God.

DATED at Abuja on Friday, August 29, 2023



B.E.I. NWOFOR, S.A.N.  
Senior Counsel for Accused Person/Objector,  
B.E.I. NWOFOR & CO.,  
21, Onne Road,  
G.R.A. Phase 2,  
Port Harcourt,  
Rivers State.  
09137144099

OR

GODSWILL MRAKPOR Chambers,  
42, Nouakchott Street,  
Wuse Zone 1,  
Abuja.

For service on:  
ACCUSER (Prince Echezoua Bonti Obuigbo)  
Through his Senior Counsel,  
Chief G. Tagbo Ike, S.A.N.  
Arena of Law,  
3, Carr Street,  
Asata,  
Enugu.

EXH F

**CHURCH OF NIGERIA**  
**(ANGLICAN COMMUNION)**  
**DIOCESE OF AWKA**  
**OFFICE OF THE CHANCELLOR**

Emmaus House,  
47, Arthur Eze Avenue,  
Awka.  
Anambra State  
09137144099  
16/09/2026

**THE MOST REV'D HENRY C. NDUKUBA, MA, BD, MA (Ed.), D.D.,**  
Archbishop, Metropolitan and Primate of All Nigeria,  
Church of Nigeria (Anglican Communion),  
St. Matthias House,  
Plot 942, Ibrahim Waziri Crescent,  
Apo.  
Abuja.

Your Grace,

**APPLICATION FOR CERTIFIED TRUE COPY OF THE REPORT**  
**SUBMITTED TO YOUR GRACE BY THE VISITATION TEAM TO THE**  
**DIOCESE OF AWKA**

Your Grace will recall that by a letter dated June 17, 2026, you constituted a Visitation Team to the Diocese of Awka to undertake a comprehensive visitation to the Diocese of Awka and made the most Rev'd Blessing Enyindah, PhD, JP, the Chairman of the Team with nine other members.

The Terms of Reference you gave the Visitation Team are:

- “(1) Interphase with all the aggrieved members of the Diocese and other state holders with a view to resolving the issues around the assets, landed and otherwise of the Diocese.

- (2) Undertake such other activities and support same with appropriate recommendations as to the recovery of any of the properties or lands of the Diocese that have been sold or otherwise disposed of."

It is on record that the Visitation Team sat at Aguata Diocese and invited The Most Rev'd Alexander C. Ibezim, PhD, the Archbishop of the Province of the Niger and Bishop of the Diocese of Awka and other Diocesan officials to appear before it which invitation was duly honoured. All the documents and information which Visitation Team requested for from the officials of the Diocese of Awka were provided to the Team.

It is very important to observe that the Visitation Team invited Prince Echezona Bonti Onuigbo who, by his Solicitor's letter dated 28th July, 2025, made "COMPLAINT OF MASSIVE CRIMINAL STRIPPING AND STEALING OF ASSETS OF CHURCH OF NIGERIA (ANGLICAN COMMUNION) AWKA DIOCESE BY ARCHBISHOP ALEXANDER CHIBUZO IBEZIM WITH LOOMING CONSEQUENCE OF RETRENCHMENT OF HUNDREDS OF STAFF OF DIOCESE OF AWKA CHURCH OF NIGERIA" to the Economic and Financial Crimes Commission (E.F.C.C.) but he refused to honour the invitation to produce evidence to establish his allegations. The same petitioner had also refused to honour the invitation to appear before the earlier Panel set up by your Grace on the same subject matter which was headed by HON. JUSTICE OGUNADE. It is clear that the petitioner has completely abandoned his frivolous allegations having not provided evidence to substantiate them.

We are aware that the Visitation Team have concluded its sittings at Aguata Diocese, written and submitted its REPORT to your Grace since July 2026, that is, almost two months ago now.

We are entitled to be given a copy of the Report of the Visitation Team submitted to your Grace.

I have the instruction of the Registered Trustees of the Diocese of Awka to formally request for a copy of the Report of the said Visitation Team to be given to us to enable us know the findings made by the Team.

Thank you, sir, and God bless and guide you. The grace of our Lord Jesus Christ be with your spirit: Galatians 6:18.

Yours faithfully,

**B.E.I. NWOFOR, S.A.N.,**  
Chancellor, Diocese of Awka  
(Anglican Communion)

28 of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, and must be strictly complied with before imposing any form of disciplinary measure or sanction including suspending or removing the plaintiff from office as the incumbent Bishop of the Diocese of Awka (Anglican Communion) and Archbishop of the Province of the Niger.

2. A declaration that at least one of the ten offences specifically listed or mentioned in section 1 of CANON XVI for which a Primate, a Provincial Archbishop, a Bishop, a Priest, or a Deacon in the Church of Nigeria (Anglican Communion) can be tried, must be proved before any form of disciplinary measure or sanction is imposed on the Plaintiff.
3. A declaration that upon a proper construction or interpretation of the extant Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, particularly sections 26(1)(2)(3), 27, 29(1), 46(1)(a), 50(2), 56(2)(a), 58, 75(1)(2)(3), 76(1)(2)(3), 77(1)(2)(3), 79(1)(2)(3)(4), 80(1)(2)(3) of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, and Canon V sections 2, 11, 12, 13, 13, 15(1)(3)(6), 16, 17, 18, 19, 20, 22, 23, 24, Canon VI sections 1(4), 4, Canon VII sections 1, 3(2), 4, Canon IX sections 1, 2(2), 3(1), 4(1), Canon XII sections 4, 5, Canon XIV sections 2(1)(2), 3, 5, 13, 15, 20, Canon XV section 1, Canon XVI sections 2, 15, 16, 22, 25, 26, 36, 41, 42, 50(g), Canon XVII sections 7, 8(1)(2) (which provides for the various responsibilities, duties, powers of the Primate), the Primate, Archbishop and Metropolitan of the Church of Nigeria lacks the power, authority, and competence to orally, or in writing, or in any manner whatsoever, query, suspend, dismiss, remove, retire or demand the retirement or resignation of the Plaintiff as the Archbishop of the Province of the Niger or as the Bishop of the Diocese of Awka (Anglican Communion), or any serving Bishop and Archbishop in the Church of Nigeria (Anglican Communion).

4. A declaration that the threats made by the Primate, Archbishop and Metropolitan of the Church of Nigeria (Anglican Communion) acting in collaboration with the Dean of the Church of Nigeria (Anglican Communion) against the Plaintiff on 9<sup>th</sup> October, 2026, to arrest and detain him and to suspend, remove, retire or dismiss the Plaintiff from his offices as the Archbishop of the Province of the Niger and Bishop of the Diocese of Awka (Anglican Communion) without any offence being committed by the plaintiff and without following the laid down procedure for imposing disciplinary sanctions on the plaintiff, are unconstitutional, illegal, unlawful, *ultra vires*, null and void and of no effect whatsoever.
5. A declaration that by virtue of section 4 Canon X of the Constitution and Canons of the Church of Nigeria (Anglican Communion) 2020, the plaintiff is entitled to remain in office as the Bishop of the Diocese of Awka (Anglican Communion) until he attains the age of 70 (seventy) years.
6. A declaration that the defendants lack the power, authority, and competence to truncate, abridge, or curtail the plaintiff's vested right to remain in office as the Bishop of the Diocese of Awka (Anglican Communion) until he attains the age of 70 (seventy) years.
7. An order of injunction restraining the defendants by themselves and by any organ or body or committee of the Church of Nigeria (Anglican Communion) and by any other subordinate officers, priests, clergy, Bishops, workers, servants, agents, privies, legal officers, or howsoever, from writing, signing, and issuing/serving/delivering any letter of suspension, or removal, retirement or dismissal from his office, or, howsoever, to truncate or terminate or curtail or abridge the plaintiff's vested right to remain in office as the Bishop of the Diocese of Awka (Anglican Communion) until he attains the constitutionally stipulated retirement age of 70 (seventy) years.
8. An order of injunction restraining the defendants by themselves and by any organ, or body or committee of the Church of

Awka which is the accused Bishop's Diocese. The letter speaks for itself and show that it was written by the Law Firm of Ike, Ike & Associates "on the instructions of Prince Echezona Bonti Onuigbo" who claimed in the letter that he "was born a Christian of Anglican faith and his membership of Church of Nigeria (Anglican Communion) dates back for over 60 years." It is submitted that the writer of the letter marked Exhibit C and his client do not have the *locus standi* to make any complaint or charge a Bishop of the Church for any offence as clearly shown in the wordings of section 24 of Canon XVI and the 1<sup>st</sup> defendant is expressly prohibited from receiving such letter. **The situation was made worse by the fact that the letter was neither addressed to the 1<sup>st</sup> defendant nor copied to him.** The letter was rather addressed to "The Zonal Director (Enugu Zonal Directorate) Economic and Financial Crimes Commission."

**One wonders why the 1<sup>st</sup> defendant started acting on a letter which was neither addressed nor copied to him! And a letter expressly forbidden from being received.**

**3.4 Again, the complainant refused to appear before the Panels set up by the 1<sup>st</sup> defendant vide Exhibits D and F (see paragraphs 9 and 16 of the affidavit in support of the Originating Summons).**

**3.5 To worsen matters and drive home the 1<sup>st</sup> defendant's failure to comply with the laid down procedures outlined above, he failed, after receiving the Reports of the two Panels he set up, to submit them to the Episcopal Synod with the result that the Episcopal Synod could not perform its constitutional role to review the Report and to submit the same to the Standing Committee which was also incapacitated from performing its own constitutional review role and was disabled from submitting its own views to the General Synod where final decisions on the Report would have been made. The 1<sup>st</sup> defendant simply put the two Reports under lock and key for his eyes only which is a naked violation of the very Constitution he personally signed and**

**which is binding on him by virtue of section 90 of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020.**

3.6 It is well settled law that where a statute provides for a means of doing a thing, no other means or manner shall be permitted. See:

- (1) HON. MRS. DORATHY MATO V. HON. IORWASE HERMAN HEMBER & 2 ORS. (2018) 5 N.W.L.R. (PT.1612) 258, on page 295, paragraphs E to F.
- (2) MOBIL PRODUCING NIG. UNLTD V. JOHNSON (2018) 14 N.W.L.R. (PT.1639) 329.
- (3) C.C.B. (NIG.) PLC V. ATTORNEY-GENERAL OF ANAMBRA STATE (1992) 8 N.W.L.R. (PT.261) 528.
- (4) CROSS RIVER UNIVERSITY OF TECHNOLOGY V. LAWRENCE D. OBETEN (2011) 15 N.W.L.R. (PT. 1271) 588, on page 608, paragraphs C to E.

In the case of SHARING CROSS EDUCATIONAL SERVICE LIMITED V. UMARU ADAMU ENTERPRISE LIMITED & 2 ORS. (2026) 10 N.W.L.R. (PT.2049) 291, the Supreme Court of Nigeria in its leading judgment delivered by UWA, J.S.C., on pages 319 to 320, paragraphs H to B, held:-

“It is a settled and a fundamental principle of our jurisprudence that where a statute prescribes a method for doing a thing, that method must be followed or the act done would be rendered invalid.”

Following these judicial authorities, it is quite clear that the defendants have no choice but to strictly comply with the procedure or method stipulated in the constitution for disciplinary control and the imposition of sanction on a serving Bishop or Archbishop and other members of the Clergy. In the instant case the defendants woefully failed to comply with the laid down

procedures and the result is that their actions are rendered invalid, void and of no effect.

The court is urged to resolve issue one in the affirmative.

**C2: ON ISSUE NO.2 AS FORMULATED ABOVE**

- 4.0 The second issue for determination is: Whether it is mandatory to establish at least one of the ten grounds for disciplining a serving Bishop and or Archbishop of the Church, stipulated in section 1 Canon XVI of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, before imposing any disciplinary sanction on such Bishop?
- 4.1 The offences or grounds for trial and imposing disciplinary sanctions on a Primate, a Provincial Archbishop, a Bishop, a Priest, or a Deacon in the Church of Nigeria (Anglican Communion) are spelt out in Canon XVI section 1 which reads:-
- “(a) A conviction by a court of competent jurisdiction for felony or other allied offences;
  - (b) “sexual immorality” the words “includes but is not limited to homosexuality, lesbianism, bi-sexuality, paedophilia, adultery, fornication, rape and other sexually abhorrent behaviour;
  - (c) conduct giving just cause for scandal or offence;
  - (d) heresy or false doctrine;
  - (e) schism, or acceptance of membership in a religious body not in communion with the Church of Nigeria (Anglican Communion);
  - (f) apostasy from the Christian faith;
  - (g) violation of any provision of the Constitution of the Church of Nigeria or of a Diocese;

(h) disobedience, which is to say, wilful contravention of the Regulations either of the General Synod, or of the Diocesan Synod of the Diocese in which he holds office;

(i) neglect of the duties of his office;

(j) being a member of a secret society or cult, and failure or refusal to renounce membership of the same when required to do so.”

4.2 It is submitted that it is clear that there must be proof of at least one of the above-mentioned offences against a Bishop before disciplinary sanction of any type or form is imposed on him. Furthermore, there must be a trial in court presided by the Primate in which all the Bishops of the Church are present, where charges are brought against a Bishop. See section 22 of Canon XVI of the said Constitution.

4.3 The well settled principle of interpretation is to interpret clear and unambiguous provisions in their ordinary and natural meanings. See *PEOPLES DEMOCRATIC PARTY V. INDEPENDENT NATIONAL ELECTORAL COMMISSION & 2 ORS.* (2018) 12 N.W.L.R. (PT.1634) 533, on page 549, paragraphs D to E; *TORIOLA V. WILLIAMS* (1982) 7 S.C. 27.

4.4 In the instant case, there is no evidence that the plaintiff committed any of the offences listed in Section 1 of Canon XVI. Without evidence establishing any of those grounds against the plaintiff, there cannot be disciplinary sanctions. Consequently, issue two should be resolved in the affirmative.

### **C3: ON ISSUE NO.3 AS FORMULATED ABOVE**

5.0 The third issue for determination is: Whether upon a proper construction or interpretation of the extant Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, particularly sections 26(1)(2)(3), 27, 29(1), 46(1)(a), 50(2), 56(2)(a), 58, 75(1)(2)(3), 76(1)(2)(3), 77(1)(2)(3), 79(1)(2)(3)(4), 80(1)(2)(3) of the Constitution and Canons of the Church of

Nigeria (Anglican Communion), 2020, and Canon V sections 2, 11, 12, 13, 13, 15(1)(3)(6), 16, 17, 18, 19, 20, 22, 23, 24, Canon VI sections 1(4), 4, Canon VII sections 1, 3(2), 4, Canon IX sections 1, 2(2), 3(1), 4(1), Canon XII sections 4, 5, Canon XIV sections 2(1)(2), 3, 5, 13, 15, 20, Canon XV section 1, Canon XVI sections 2, 15, 16, 22, 25, 26, 36, 41, 42, 50(g), Canon XVII sections 7, 8(1)(2) (which provides for the various responsibilities, duties, powers of the Primate), is the Primate, Archbishop and Metropolitan of the Church of Nigeria granted or conferred the power, authority and competence to query, suspend, dismiss, remove, retire or demand the retirement or resignation of the Plaintiff from his offices as the Archbishop of the Province of the Niger and as the Bishop of the Diocese of Awka (Anglican Communion) or any serving Bishop and Archbishop in the Church of Nigeria (Anglican Communion)?

5.1 The office of Primate, Archbishop and Metropolitan of the Church of Nigeria was established by section 26(1) of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020. By virtue of section 26(2) of the same Constitution, the Primate of the Church of Nigeria:

“Shall hold office under, and have privileges, powers, authority and duties **as are defined by the Constitution, Canons and Regulations made by or under the authority of the General Synod** and shall exercise all the rights and perform all the duties of the office of a Metropolitan”.

5.2 This provision is clear and unambiguous and show that the privileges, powers, authority and duties of the Primate of the Church of Nigeria are not at large but are “**as defined by the Constitution, Canons and Regulations made by or under the authority of the General Synod**”. The pertinent question is: is there any provision of the Constitution, Canons and Regulations made by or under the authority of the General Synod which gave the Primate of the Church of Nigeria the privilege, power, authority or duty to query, suspend, dismiss, remove or retire a serving

Bishop? The answer is No. The functions of the Primate listed in section 29(1) of the Constitution and Canons of the Church of Nigeria (Anglican Communion), *supra*, does not include the specific power to query, suspend, dismiss, remove or retire a serving Bishop. It is instructive to note that the “general authority and supervision over the whole of the Church of Nigeria” given to the Primate by section 29(1)(a) of the said Constitution and Canons of the Church of Nigeria (Anglican Communion) is, again, not at large, but is to be exercised “in accordance with the provisions of this Constitution and the Canons of the Church”. In other words, such general authority and supervision must be in accordance with the provisions of the Constitution and the Canons of the Church. There is no provision in the Constitution and Canons of the Church which empower the Primate of the Church of Nigeria (Anglican Communion) to suspend or exercise disciplinary control over a Bishop. Sections 26(1)(2)(3), 27, 29(1), 46(1)(a), 50(2), 56(2)(a), 58, 75(1)(2)(3), 76(1)(2)(3), 77(1)(2)(3), 79(1)(2)(3)(4), 80(1)(2)(3) of the Constitution and Canon V sections 2, 11, 12, 13, 14, 15(1)(3)(6), 16, 17, 18, 19, 20, 22, 23, 24, Canon VI sections 1(4), 4, Canon VII sections 1, 3(2), 4, Canon IX sections 2, 4, Canon X section 1, Canon XI sections 1, 2(2), 3(1), 4(1), Canon XII sections 4, 5, Canon XIV sections 2(1)(2), 3, 5, 13, Canon XIV sections 2(1)(2), 3, 5, 13, 15, 20, Canon XV section 1, Canon XVI sections 2, 15, 16, 22, 25, 26, 36, 41, 42, 50(g), Canon XVII sections 7, 8(1)(2), provides for the various responsibilities, duties, and powers of the Primate. None of those provisions vested the Primate with the power to suspend or remove a Bishop or Archbishop from office. Had the Constitution intended to confer upon the Primate the power to exercise disciplinary control over a Bishop or Archbishop, it would have expressly said so. In law, all acts are prohibited for artificial entities including the office of Primate of the Church of Nigeria except specifically permitted. See the case of MAJOR GENERAL KAYODE ONI & 4 ORS. V. GOVERNOR OF EKITI STATE & ANOR. (2019) 5 N.W.L.R. (PT.1664) 1, on page 24,

paragraphs D to E, per his Lordship, AUGIE, J.S.C., delivering the leading judgment, thus:-

“It is settled that for artificial entities, including government offices (and the Governor in this case), the rule is that all acts are prohibited except specifically permitted”.

5.3 The well settled principle of law is as expressed in the Latin maxim: *expressio unius est exclusio alterius*, which was well explained by the Supreme Court of Nigeria in ONI V. GOVERNOR OF EKITI STATE, *supra*, on page 23, paragraphs E to G, thus:-

“One of the maxims of statutory interpretation is *expressio unius est exclusio alterius* (express mention of one thing excludes others) i.e. although there is no express exclusion, exclusion is implied. An implied exclusion argument lies whenever there is reason to believe that if the Legislature meant to include a particular thing within the ambit of a statute, it would have referred to that thing and because of this explanation, its failure to mention that thing becomes grounds for inferring that it was deliberately excluded. Simply put, the express mention of one thing in any statutory provision automatically excludes any other, which otherwise, would have applied by implication with regard to the same issue. See *Ehuwa V. O.S.I.E.C.* (2006) 18 N.W.L.R. (PT.1012) 544 at 569 SC, *Udoh V. O.H.M.B.* (1993) 7 N.W.L.R. (PT.304) 139 SC, and *Att. Gen., Ondo State V. Att. Gen., Ekiti State* (2001) 17 NWLR (PT.743) 706”.

5.4 In the case of OCHE C. OLOJA & 20 ORS. V. GOVERNOR, BENUE STATE & 2 ORS. (2016) 3 NWLR (PT.1499) 217, on page 242, paragraphs A to C, OGBUINYA, J.C.A., as his Lordship

because one of the ten grounds for bringing charges against the Primate as stated in Canon XVI section 1(g) is **“violation of any provision of the Constitution of the Church of Nigeria or of a Diocese.”**

5.6 In TIJJANI MUSA TUMSAH V. FEDERAL REPUBLIC OF NIGERIA & ANOR. (2018) 17 N.W.L.R. (PT.1648) 238, on page 277, paragraph C, the Court of Appeal held:-

“In addition, bodies set up by the law must be made to operate within the confines of their boundaries circumscribed by the law. The consequence of acting in violation of these principles would be absolute chaos in the polity”.

The 1st defendant acted *ultra vires* by saying that he would suspend the plaintiff or retire him prematurely. The pronouncements of the Primate threatening to remove or suspend or prematurely retire the plaintiff is a nullity, void. The revered Lord Denning, M.R., in MACFOY V. U.A.C. (1961) 2 ALL E.R. 1169, on page 1172 said:-

“If an act is void, then it is in law a nullity. It is not only bad, but incurably bad. There is no need for an order of the court to set it aside. It is automatically null and void without much ado, though it is sometimes convenient to have the court to declare it to be so. And every proceeding which is founded on it is also bad and incurably bad. You cannot put something on nothing and expect it to stay there. It will collapse”.

#### **C4, 5 AND 6: ON ISSUES 4, 5 AND 6 AS FORMULATED ABOVE**

6.0 The fourth, fifth and sixth issues for determination as formulated above will be argued together.

6.1 Having demonstrated in the submissions made above that the 1st defendant has no power or authority to suspend or prematurely retire a serving Bishop and Archbishop such as the plaintiff in this

case, it follows that his threats to do so including to arrest and detain him are unlawful. See paragraphs 19, 20, 21, 22, 23 and 25 of the affidavit in support of the Originating Summons. The 1st defendant's threats are unlawful, unconstitutional and ultra vires his powers under the said Constitution which he signed into law.

6.2 By virtue of section 4 Canon X of the constitution and Canons of the Church of Nigeria (Anglican Communion), supra,

"Every Bishop of the Church of Nigeria shall be deemed to retire from office on attaining the age of seventy years"

In view of this provision, the plaintiff is perfectly entitled to remain in office until he attains the retirement age of 70 years. The defendants have no right to curtail or terminate such plaintiff's vested right.

6.3 Having regard to the foregoing submissions, the court is, respectfully, urged to resolve issues 4,5, and 6 formulated above in the affirmative.

#### **C7: ON ISSUE NO.7 AS FORMULATED ABOVE**

7.0 It is settled law that injunction is granted to support a legal right.  
See :

1. OBIDIEGWU ONYESOH, V. NZE CHRISTOPHER  
NNEBEDUM & 3 ORS. (1992) 3 N.W.L.R.. (Pt. 24229) 315,  
on page 336, paragraphs E to H.
- 2 AKAPO V. HAKEEM-HABEEB (1992) 6 N.W.L.R. (Pt. 247)  
266, on pages 289 to 290.
3. KOTOYE V.C.B.N. (1989) 1 N.W.L.R. (PT.98) 419.
4. OBEYA MEMORIAL HOSPITAL V. A.-G., FEDERATION &  
ANOR. (1987) 3 N.W.L.R. (Pt. 60) 325.

5. COMMISSIONER OF WORKS, BENUE STATE V. DEVCON LTD. (1988) 3 N.W.L.R. (Pt. 83) 407.

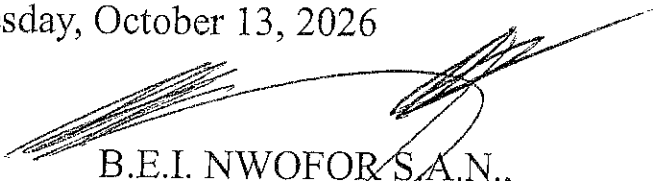
The plaintiff's depositions in paragraphs 19 to 26 of the affidavit in support of the originating summons show threats to his legal rights. It is sufficient, in law, to grant an order of injunction where a party's legal right has been threatened, as in the instant case, as shown above. See REUBEN I. EZEBILO & ANOR. V. CHINWUBA (1997) 7 N.W.L.R. (Pt. 511) 108, on page 124, paragraphs C to F.

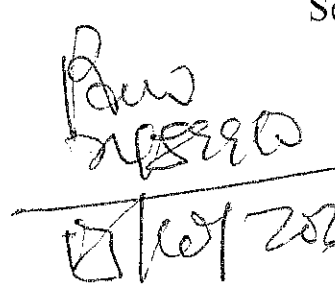
### E. CONCLUSION

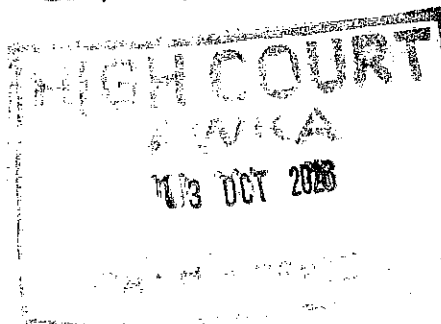
8.0 Having regard to the cogent and convincing facts of this case and the law, the court is, respectfully, urged to hold that this case has substantial merit. The reliefs sought by the plaintiff should, therefore, be granted.

May it please your Lordship.

Dated at Port Harcourt on Tuesday, October 13, 2026

  
B.E.I. NWOFOR S.A.N.,  
Senior Counsel for plaintiff,  
DR. O.O. KOMOLAFE,  
C.S. IKERIA, ESQ.,

  
B.E.I. NWOFOR & CO.,  
21, Onne Road,  
G.R.A. Phase 2,  
Port Harcourt.  
Rivers State.  
08064343695



Whose address for service in Awka

Through the chambers of:

CHIEF OZOEMENA ONYALI,  
S.A.N.,

No. 26, Dr. Okey Anueyiagu Road,

Off Old INEC Road,

Awka.

Anambra State.

1. For filing in court

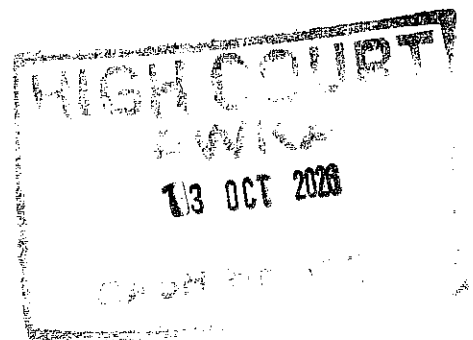
2. For Service on:

**DEFENDANTS**

Plot 942, Ibrahim Waziri Crescent,

Gudu District,

Apo, Abuja.



IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA

IN THE AWKA JUDICIAL DIVISION

HOLDEN AT AWKA

SUIT NO. A/ 371/2026  
A/ 1759M/2026  
/2026

BETWEEN:

THE MOST REVEREND ALEXANDER CHIBUZO IBEZIM,  
PhD (ARCHBISHOP OF THE PROVINCE OF THE NIGER  
AND BISHOP OF THE DIOCESE OF AWKA (ANGLICAN  
COMMUNION)).

----- PLAINTIFF/APPLICANT

AND

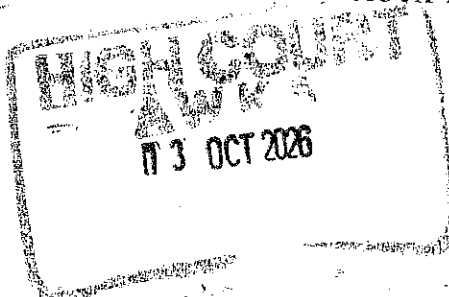
1. THE MOST REVEREND HENRY C. NDUKUBA  
(ARCHBISHOP, METROPOLITAN & PRIMATE OF ALL  
NIGERIA)
2. THE MOST REVEREND BLESSING ENYINDAH  
(DEAN, CHURCH OF NIGERIA AND CHAIRMAN OF  
VISITATION TEAM TO THE DIOCESE OF AWKA  
ILLEGALLY CONSTITUTED BY THE 1ST DEFENDANT  
VIDE LETTER DATED 17/6/2026)

----- DEFENDANTS/RESPONDENTS

MOTION ON NOTICE

UNDER ORDER 39 RULES 1(1), 2(2), 8, ORDER 40 RULES  
1(1)(2), 3(1), 8 OF THE HIGH COURT (CIVIL PROCEDURE)  
RULES, 2019, AND SECTION 6(6)(A) OF THE  
CONSTITUTION OF THE FEDERAL REPUBLIC OF  
NIGERIA, 1999, AS AMENDED

TAKE NOTICE that this honourable court will be moved on \_\_\_\_\_  
the \_\_\_\_\_ day of \_\_\_\_\_ 2026, at the hour of 9 O'clock in the



forenoon, or so soon thereafter as the Plaintiff Applicant, or counsel on his behalf, may be heard praying for:-

1. An order of interlocutory injunction restraining the defendants/respondents by themselves and by any organ or body or committee of the Church of Nigeria (Anglican Communion) and by any other subordinate officers, priests, clergy, Bishops, workers, servants, agents, privies, legal officers, or howsoever, from writing, signing, and issuing/serving/delivering any letter of suspension, or removal, retirement or dismissal, from his offices as Archbishop of the Province of the Niger and Bishop of the Diocese of Awka (Anglican Communion) or, howsoever, to truncate or terminate or curtail or abridge the plaintiff's vested right stipulated in section 4 Canon X to remain in office as the Bishop of the Diocese of Awka (Anglican Communion) until he attains the constitutionally retirement age of 70 (seventy) years, stipulated in section 4 Canon X of the Constitution and Canons of the Church of Nigeria (Anglican Communion) pending the hearing and determination of the substantive suit.
2. An order of interlocutory injunction restraining the defendants by themselves and by any organ, or body or committee of the Church of Nigeria (Anglican Communion) and by any other subordinate officers, priests, clergy, Bishops, workers, servants, agents, privies, legal officers, or howsoever, from further threatening to suspend, remove or retire the plaintiff from his offices as Archbishop of the Province of the Niger and Bishop of the Diocese of Awka (Anglican Communion) and from interfering in the affairs of the Diocese of Awka (Anglican Communion) for any purpose whatsoever without the prior consent in writing of the plaintiff, or his successors in office, after his retirement and the expiration of his tenure of office, and without the prior consent of the Diocesan Board and Diocesan Synod and the Registered Trustees of the Diocese of Awka (Anglican Communion), pending the hearing and determination of the substantive suit.

DATED at Port Harcourt on Tuesday, October 13, 2026.

B.E.I. NWOFOR S.A.N.,

Senior Counsel for plaintiff/  
applicant,

DR. O.O. KOMOLAFE,

C.S. IKERIA, ESQ.,

B.E.I. NWOFOR & CO.,

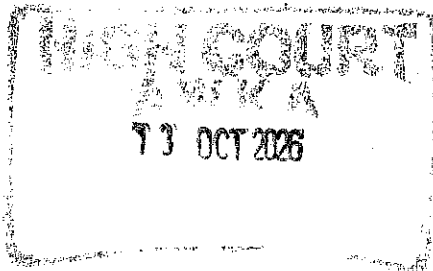
21, Onne Road,

G.R.A. Phase 2,

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Rivers State.

08064343695



Whose address for service in Awka

Through the chambers of:

CHIEF OZOEMENA ONYALI,  
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No. 26, Dr. Okey Anueyiagu Road,

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Anambra State.

1. For filing in court
2. For Service on:

**DEFENDANTS**

Plot 942, Ibrahim Waziri Crescent,

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**IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA**

**IN THE AWKA JUDICIAL DIVISION**

**HOLDEN AT AWKA**

**SUIT NO. A/ /2026**

*A/371/2026*

*A/1755m/2026*

**BETWEEN:**

**THE MOST REVEREND ALEXANDER CHIBUZO IBEZIM,  
PhD (ARCHBISHOP OF THE PROVINCE OF THE NIGER  
AND BISHOP OF THE DIOCESE OF AWKA (ANGLICAN  
COMMUNION)).**

**----- PLAINTIFF**

**AND**

- 1. THE MOST REVEREND HENRY C. NDUKUBA  
(ARCHBISHOP, METROPOLITAN & PRIMATE OF ALL  
NIGERIA)**
- 2. THE MOST REVEREND BLESSING ENYINDAH  
(DEAN, CHURCH OF NIGERIA AND CHAIRMAN OF  
VISITATION TEAM TO THE DIOCESE OF AWKA  
ILLEGALLY CONSTITUTED BY THE 1ST DEFENDANT  
VIDE LETTER DATED 17/6/2026)**

**----- DEFENDANTS**

**AFFIDAVIT IN SUPPORT OF MOTION ON NOTICE**

I, THE MOST REVEREND ALEXANDER CHIBUZO IBEZIM, Ph.D., Archbishop of the Province of the Niger and Bishop of the Diocese of Awka (Anglican Communion), of Archbishop's Palace, Anglican Village, Ifite-Awka, Anambra State, citizen of the Federal Republic of Nigeria, do hereby make oath and state, as follows:-

1. I am the Plaintiff in this case.
2. I am the incumbent elected Archbishop of the Province of the Niger which covers the entire Anambra State. In effect, I am the

spiritual leader of all Anglicans in Anambra State with the entire state as my ecclesiastical jurisdiction.

3. I am also the incumbent elected Bishop of the Diocese of Awka (Anglican Communion) since 2010.
4. The first defendant is the person presently occupying the office of Primate, Archbishop and Metropolitan of the Church of Nigeria, which was established by section 26(1) of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020.
5. The Church of Nigeria (Anglican Communion) has Dioceses and churches all over Nigeria including in this Judicial Division of the High Court of Anambra State.
6. The second defendant is the Dean of the said Church of Nigeria (Anglican Communion) and the person appointed by the 1st defendant as Chairman of the Visitation Team to the Diocese of Awka vide letter dated Wednesday, June 17, 2026, a copy of which is hereto exhibited and marked **Exhibit A**.
7. The Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020 is hereto exhibited and marked **Exhibit B**.
8. I have carefully read through the said Constitution and Canons of the Church of Nigeria (Anglican Communion) and seen:
  - (1) that it is clearly stated in CHAPTER XIV DISCIPLINE sections 54 and 55 that:

“54 The General Synod shall have exclusive power to make provisions with regard to discipline and in particular-

    - (a) to prescribe and define offences for which a Bishop, Priest, Deacon or member of the Laity of the Church of Nigeria may be tried; and
    - (b) to determine the constitution and rules of procedure of Diocesan, Provincial and final appellate Tribunals for the exercise of Ecclesiastical discipline and establish a final Court of Appeal for the purpose.

“55 Any Bishop, Priest, Deacon or Laity of the Church of Nigeria (Anglican Communion) against whom a charge is brought shall be tried in accordance with provisions of the relevant Canons on Discipline”.

(2) that in CHAPTER XVI DISPUTE RESOLUTION, the procedure for handling COMPLAINTS AGAINST THE BISHOP OF A DIOCESE are spelt out in section 75(1)(2)(3)(4)(5) which reads:

- “75(1) Where the complaint is against the acts or omissions of the Bishop of the Diocese, then the complaint, in writing, shall be made to the Primate who shall forward same to the Bishop and call for his response.
- (2) The concerned Bishop shall deliver his response to the allegations not later than twenty-one days after receipt of the complaint from the Primate who shall thereafter set up a Seven-Man Committee, comprising of at least three Bishops and three Chancellors, (none from the Diocese of the Bishop concerned) to look into the matter and report back to the Primate within a period of fourteen days.
- (3) The Primate shall, within fourteen days of the submission of the findings and the recommendations of the Committee, submit same to the Episcopal Synod for consideration.
- (4) The Episcopal Synod may after the consideration of the report review, modify, reject or adopt the recommendations which shall be subject to the approval of the Standing Committee.
- (5) The approval of the Standing Committee referred to in subsection (4) of this section shall be subject to ratification by the General Synod

whose decision on the matter shall be final and binding.

(3) that the procedure for handling COMPLAINTS AGAINST THE ARCHBISHOP OF A PROVINCE are lucidly stated in section 76(1)(2)(3)(4)(5) which reads:

“76(1) Where the complaint is against the acts or omissions of the Archbishop of a Province, then the complaint, in writing, shall be made to the Primate who shall forward same to the Archbishop and call for his response.

(2) The concerned Archbishop shall deliver his response to the allegations not later than twenty-one days after receipt of the complaint from the Primate who shall thereafter set up a Seven-Man Committee, comprising of the Dean, at least three Archbishops and Three Chancellors (none from the Province of the Archbishop concerned) to look into the matter and report back to the Primate within a period of fourteen days.

(3) The Primate shall, within fourteen days of the submission of the findings and the recommendations of the Committee, submit same to the Episcopal Synod for consideration.

(4) The Episcopal Synod may after the consideration of the report review, modify, reject or adopt the recommendations which shall be subject to the approval of the Standing Committee.

(5) The approval of the Standing Committee referred to in subsection (4) of this section shall be subject to ratification by the General Synod whose decision on the matter shall be final and binding.

(4) that in CANON XVI entitled "Of Ecclesiastical Discipline", the charges, or offences or accusations on which a Primate, A Provincial Archbishop, A Bishop, A Priest or a Deacon in the Church of Nigeria (Anglican Communion) may be presented for trial are listed in section 1 of CANON XVI as follows:-

- “(a) A conviction by a court of competent jurisdiction for felony or other allied offences;
- (b) “sexual immorality” the words “includes but is not limited to homosexuality, lesbianism, bi-sexuality, paedophilia, adultery, fornication, rape and other sexual abhorrent behaviour;
- (c) conduct giving just cause for scandal or offence;
- (d) heresy or false doctrine;
- (e) schism, or acceptance of membership in a religious body not in communion with the Church of Nigeria (Anglican Communion);
- (f) apostasy from the Christian faith;
- (g) violation of any provision of the Constitution of the Church of Nigeria or of a Diocese;
- (h) disobedience, which is to say, wilful contravention of the Regulations either of the General Synod, or of the Diocesan Synod of the Diocese in which he holds office;
- (i) neglect of the duties of his office;
- (j) being a member of a secret society or cult, and failure or refusal to renounce membership of the same when required to do so.”

(5) that in sections 22,24,25,26,27, and 28 of CANON XVI, other vital procedural provisions are made regarding trial of Bishops, thus:-

“22. A Bishop of the Church shall, where charges are brought against him be tried by a court consisting of the Primate and the Bishops of the Church of Nigeria. The Primate shall preside. The Bishops except the accused, shall be summoned by the Primate to the hearing of the charge; but no trial shall take place unless there be present at least six Bishops, including the Primate, but excluding the accused.

24. No charge shall be received against a Bishop of the Church unless it be preferred, if it relates to a matter of Faith and Doctrine, by at least five Priests of the Diocese, or by a Bishop of the church or, if it relates to other matters, by at least three Priest of the Diocese and also three Lay Representatives in the Synod of the Diocese of the accused Bishop.

25. In the case of an accusation against a Bishop, the Articles of Presentment shall be delivered to the Primate, except he be the accused in which case they shall be delivered to the Dean of the Church of Nigeria.

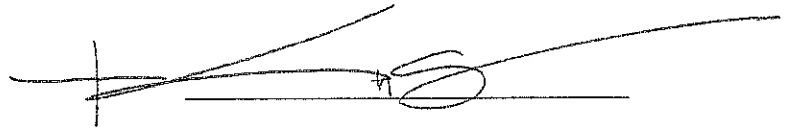
26. The Primate (or if the Primate is the accused, the Dean of the Church) shall, at the earliest moment after receipt of the Articles of Presentment transmit a copy of the same to the accused, and to each of the other Bishops of the Church. All intimations and citations shall be deemed to be duly served by a copy thereof being forwarded by registered post to the residential address of the accused.

27. The trial shall take place within four months of the receipt of the Articles of Presentment by the Primate

thereby truncate my vested right to retire from service at the age of 70 years, I have instituted this action in this court for redress.

29. Unless this honourable court expeditiously grants me the reliefs I am seeking in this suit, I would suffer irreparable, irretrievable and outrageous damage and injury and injustice which no monetary award can assuage.

30. I do solemnly and sincerely declare that I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act.



DEPONENT

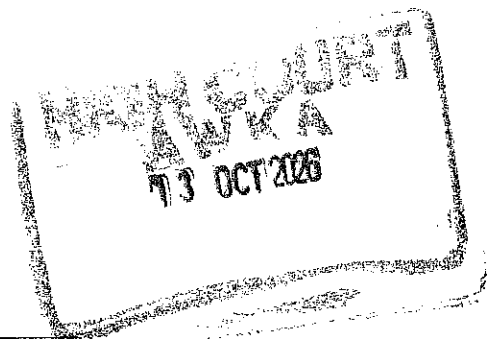
Sworn at the High Court Registry,

Awka, this 13<sup>th</sup> day of October, 2026.

BEFORE ME



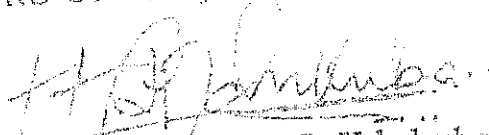
COMMISSIONER FOR OATHS



We are confident that under your leadership, the Team will be properly guided and our desire to see the Diocese of Awka move forward will be fulfilled.

Please accept our best wishes for a successful assignment.

The LORD be with you.



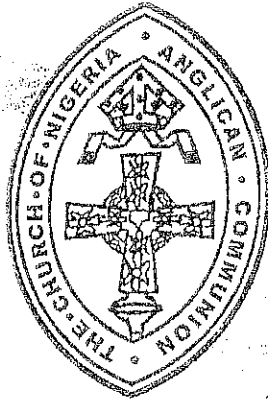
The Most Rev'd Henry C. Ndukuba, MA, BD, MA (Ed.), DD,  
*Archbishop, Metropolitan & Primate of All Nigeria*

Cc: The Chancellor, Church of Nigeria  
The Registrar, Church of Nigeria  
The General Secretary, Church of Nigeria  
The Chancellor, Diocese of Awka  
The Registrar, Diocese of Awka

**ST MATTHIAS HOUSE**

Plot 19, Freedom Village, Asokoro, Abuja District, P.O. Box 22, 10000 Abuja, Nigeria.

EXH B



**CHURCH OF NIGERIA**  
**(ANGELICAN COMMUNION)**

# **CONSTITUTION**

## **AND CANONS**

**2020**

CHAPTER I  
THE GENERAL PROVISIONS

CITATION

1. This Constitution shall be known as the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020.

UNITY

2. (1) The Church of Nigeria (Anglican Communion), hereinafter called "the Church of Nigeria", shall remain one united and indissoluble Church under God.

AIMS, OBJECTIVES  
AND PRINCIPLES

- (2) The aims, objectives and principles of the Church of Nigeria (Anglican Communion) are:
  - (a) to evangelize, and promote the knowledge of God and the adherence to the teaching and examples of Jesus Christ;
  - (b) to promote Christian education, values and morals;
  - (c) to assist in the care and welfare of the people, particularly the poor, the aged and the needy;
  - (d) to provide for the spiritual welfare of her members;
  - (e) to acquire land for the attainment of her objectives;
  - (f) to raise funds through launches, contributions and any other lawful means;
  - (g) to undertake all other things which are reasonably incidental to the foregoing objectives.

*Church of Nigeria (Anglican Communion) Constitution and Canons 2020*

MEMBERSHIP

- (3) Subject to any Canon or Regulation made in that behalf, the membership of the Church of Nigeria (Anglican Communion) shall be open to all persons who accept the aims and objectives, the doctrines and the Constitution of the Church.

SECRETARIAT

- (4) The Secretariat of the Church of Nigeria shall be in the Federal Capital Territory, Abuja which shall also be the headquarters of the Church of Nigeria and the seat of the Archbishop, Primate and Metropolitan of Nigeria.

THE CHURCH  
OF NIGERIA  
(ANGLICAN  
COMMUNION)

3. (1) The Church of Nigeria shall be in full communion with all Anglican Churches Dioceses and Provinces that hold and maintain the Historic Faith, Doctrine, Sacrament and Discipline of the one Holy, Catholic, and Apostolic Church as the Lord has commanded in His holy word and as the same are received as taught in the Book of Common Prayer and the Ordinal of 1662 and in the Thirty-Nine Articles of Religion.
- (2) In the interpretation of the aforementioned formularies and in all questions of Faith, Doctrine and Discipline, the decisions of the Ecclesiastical tribunals of the Church of Nigeria shall be final.

ORDERS OF  
MINISTRY

4. The Church of Nigeria shall have three Orders of the Ministry, namely:
- (a) Bishops who shall have a special responsibility and authority for the preservation of the truth of the doctrine of the Church for the purity of its life, and the worthiness of its worship;
- (b) the Priests who in co-operation with and under the guidance of the Bishops have a

special responsibility for preaching the word of God and administering the Holy Sacraments and generally for the cure of souls; and

- (c) the Deacons, who have a special responsibility for the care of the poor and distressed, for the instruction of the young and the ignorant and for giving assistance to the Priests in Divine Service.

## CHAPTER II THE GENERAL SYNOD

### POWERS

- 5. The General Synod as hereby constituted, shall be the Legislative body of the Church of Nigeria and every enactment, resolution or directives thereof shall be binding upon the Church of Nigeria and on every Province, Diocese, Officer, and member thereof.

### COMPOSITION

- 6. The General Synod shall consist of:
  - (a) the House of Bishops;
  - (b) the House of Clergy; and
  - (c) the House of Laityconstituted in accordance with the provisions of this Constitution.

### HOUSE OF BISHOPS

- 7. The House of Bishops shall consist of:
  - (a) the Archbishop, Metropolitan and Primate of the Church of Nigeria;
  - (b) the Dean of the Church of Nigeria;
  - (c) the Provincial Archbishops;
  - (d) all Serving Bishops of the Church of Nigeria; and
  - (e) retired Bishops who are not engaged in

remunerative work outside the ordained Ministry; provided that they shall have no right to vote.

HOUSE OF  
CLERGY

8. (1) The House of Clergy shall consist of Priests and Deacons who hold the Licence of the Bishop of the Diocese they represent, elected in such manner and in accordance with such rules as the Diocesan Synod may make in that behalf.
- (2) Unless the General Synod or the Standing Committee otherwise decides, every Diocese shall be represented by two Clerical representatives.

HOUSE OF  
LAITY

9. (1) The House of Laity shall consist of such communicant members of the Church of the age of eighteen years and above elected or appointed Lay Representatives of the Diocese they represent in such manner and in accordance with such rules as the Diocesan Synod may make in that behalf.
- (2) Unless the General Synod or the Standing Committee otherwise decides, every Diocese shall be represented by three Lay representatives which shall include the Chancellor and at least one woman.

FILLING OF  
VACANCIES

10. Each Diocese shall make rules to provide for the filling of vacancies in Clerical and Lay representation of the Diocese which may occur through death, resignation, loss of qualification or any other cause between the time of the election or appointment and the subsequent meeting of the General Synod.

## MEETINGS OF THE GENERAL SYNOD

### SESSIONS

11. Ordinary Sessions of the General Synod shall take place every THREE years; provided that the General Synod shall meet whenever the Archbishop, Metropolitan and Primate decide that the circumstances of the Church require it and provided also that the General Synod shall be summoned by the Archbishop, Metropolitan and Primate whenever requested to do so by at least one-third of the membership of a House.

### PRESIDENT OF THE GENERAL SYNOD

12. (1) The Primate of the Church of Nigeria (Anglican Communion) shall be President of the General Synod and shall preside at its sessions thereof.

- (2) During a vacancy in the office of Primate or the absence of the Primate from any meeting of the General Synod or any Committee, Council, Board or Commission constituted under the Constitution or any Canon, unless otherwise provided, the Dean of the Church of Nigeria or in his absence the Provincial Archbishop senior by presentation and the Archbishop, and if none be present, the Bishop senior by consecration, shall preside.

### NOTICE OF GENERAL SYNOD

13. (1) The Primate shall give to all the Bishops of the Church of Nigeria at least six calendar months notice of every ordinary session of the General Synod, and the Bishop of each Diocese shall cause such notice to be published throughout his Diocese and sent to all members of the General Synod in his Diocese through their registered addresses within four weeks of receiving such notice provided that when a special session of the

General Synod is convened, two months notice shall be sufficient.

- (2) The agenda for the General Synod shall be prepared by the Primate in consultation with the Standing Committee of the Church of Nigeria.

QUORUM

14. At least one-third of the members of each of the three Houses of Bishops, Clergy and Laity representing at least three-quarters of the number of Dioceses in the Church of Nigeria must be present for the transaction of business in the General Synod, and it shall be competent for any member of the Synod, at any time to call for the counting of the members present.

VOTING

GENERAL

15. The three Houses shall sit together and unless a greater vote on any question is required by the Constitution or by the Canons or any regulation made hereunder in cases not specifically dealt with by this Constitution or unless a vote by Houses is required under this Constitution, the affirmative vote of the majority of all the members present and voting at a duly constituted session of the General Synod shall suffice to carry any question.

VOTING BY  
HOUSES

16. Where any member present at a session of the General Synod so demands, voting shall be by Houses and shall be conducted in the following order: first, the House of Laity, then the House of Clergy and then the House of Bishops.

CHAPTER III  
FUNCTIONS, JURISDICTION AND POWERS  
OF THE GENERAL SYNOD

FUNCTIONS, ETC  
OF THE GENERAL  
SYNOD

21. (1) It shall be the duty of the General Synod -

- (a) to consider matters concerning the Church of Nigeria and make provision for the administration of its affairs and for the promotion of the spiritual welfare and well being of its members by Canons, Regulations, Resolutions, Directives or other instruments as may be appropriate; and
- (b) to consider and express their opinion on any matters of religious or public interest.

POWER TO  
SUSPEND  
DEFAULTING  
DIOCESES.

- (2) Notwithstanding the functions of the General Synod specified in subsection (1) of this section, the General Synod may suspend a Diocese from attending the General Synod or any meeting of the Standing Committee if it has defaulted in the payment of its annual assessment to the Church of Nigeria consistently for a period of two years.

LEGISLATIVE POWER

22. For the avoidance of doubt, the General Synod as hereby constituted shall be the legislative body of the Church of Nigeria and every enactment, resolution or directive of the said Synod shall have effect and be binding upon the Church, every Ecclesiastical Province or Diocese therein and upon all officers and members thereof and, subject as hereinafter provided the General Synod shall have authority and jurisdiction in all matters affecting in any way, the general interest and well-being of the whole Church and in particular:

- (i) the constitution and organisation of the General Synod including the regulation of the time and place of its meetings, the order and conduct of its proceedings, and the appointment, functions and duties of its officers, committees and other organs;
- (ii) the national character, constitution, integrity and autonomy of the Church of Nigeria;
- (iii) the relations of the Church to other religious bodies in Nigeria and elsewhere;
- (iv) the relations of the Church to other Churches of the Anglican Communion;
- (v) the election, retirement or resignation of the Primate of the Church of Nigeria, the Provincial Archbishops and Diocesan Bishops including the consecration of Diocesan Bishops;
- (vi) discipline of Clergy and of Laity of the Church of Nigeria;
- (vii) the constitution and powers of and procedure in courts of original and appellate jurisdiction for the trial of offences and the enforcement of judgements;
- (viii) the revision, adaptation and publication of a Book of Common Prayer and a Hymnal for the Church;
- (ix) the establishment of minimum standards of theological education for Postulants with at least WASC/SSC, GCE with five (5) credits which shall include English Language and Christian Religious Knowledge for training

of his presentation or when he attains the age of seventy years, whichever first occurs; or

- (c) having given notice of his intention to resign or retire, the Dean shall in consultation with the Episcopal Synod accept the resignation; or
- (d) upon representation made to the Dean by one third of the Diocesan Bishops that his appointment be terminated or he is required to retire by a resolution supported by a majority of two-thirds of the General Synod: Provided that he shall be given the fullest opportunity to defend himself against any charges that may have been brought against him.

OTHER FUNCTIONS  
OF THE ARCHBISHOP,  
METROPOLITAN  
AND PRIMATE

29. (1) In addition to his functions as Diocesan Bishop, the Primate shall have the following functions -
- (a) to have a general authority and supervision over the whole of the Church of Nigeria in accordance with the provisions of this Constitution and the Canons of the Church;
  - (b) to confirm the appointment of any person duly elected a Bishop in the Church of Nigeria and to arrange for his consecration if he be not already consecrated;
  - (c) to preside when he is so required by Regulations pertaining thereto at the hearing of appeals in accordance with the provisions of this Constitution concerning the trial of Bishops, the Clergy, and the Laity and also on other occasions when the

House of Bishops sits as a court.

- (d) to visit officially the Dioceses of the Church of Nigeria whether at the invitation of the Bishop of the Diocese or on his own initiative;
- (e) to represent the Church of Nigeria in its relationship with the rest of the Anglican Communion and other Churches in communion with it and on its behalf to correspond with other Metropolitans;
- (f) to perform such other functions prescribed by this Constitution or as may from time to time be entrusted to him by the General Synod or the Standing Committee.

TENURE OF  
OFFICE

- (2) The tenure of the Primate shall be in accordance with the provisions of the Canons or Regulations made in respect thereof by the General Synod.

#### CHAPTER VI OFFICE OF THE DEAN

THE DEAN OF  
THE CHURCH  
OF NIGERIA

- 30. (1) There shall be for the Church of Nigeria, a Dean who shall be elected in accordance with the provisions of Clauses 2 and 3 of Canon III.
- (2) During the illness or other incapacity of the Primate, the Dean of the Church of Nigeria shall perform all the duties of the Primacy.
- (3) In the absence of the Primate from any meeting of General Synod or any Committee, Council, Board or Commission,

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PROVINCIAL  
COUNCIL

- (a) the Provincial Archbishop who shall preside as the Chairman;
- (b) all Bishops of the Church of Nigeria having Sees within the Ecclesiastical Province;
- (c) Suffragan or Assistant Bishops within the Ecclesiastical Province but shall have no right to vote when the Diocesan Bishop is present;
- (d) one Clergyman from each Diocese elected at the Diocesan Synod;
- (e) two lay members, one of whom shall be a woman, from each Diocese elected at the Diocesan Synod;
- (f) any such person not exceeding two to be co-opted on ad hoc basis for their expertise; but they shall have no right to vote.

- (4) The Provincial Council shall meet on regular basis as determined by each Province or as provided by the Canons.

TERRITORY OF  
ECCLESIASTICAL  
PROVINCE

- 34. The exact territorial limits of each Ecclesiastical Province and of each Diocese therein as well as the location of the Headquarters of the same shall be determined by the General Synod or its Standing Committee.

PRESIDENT  
OF COUNCIL

- 35. (1) The Provincial Archbishop shall preside over meetings of the Provincial Council or in his absence, the next most senior Bishop by consecration shall preside.
- (2) Any dispute within a Diocese which cannot be satisfactorily resolved by the Diocesan

Bishop shall first be referred by an aggrieved party to the appropriate Provincial Archbishop.

- (3) If the dispute is between two Dioceses of which one is where the Provincial Archbishop is the Bishop or if it involves the person of the Archbishop, then the next most senior Bishop by consecration in the Province will preside over the dispute, if all these fail, then the Primate or his nominee, will preside.

POWERS OF  
PROVINCIAL  
COUNCILS

36. Provincial Councils shall have authority and jurisdiction to meet as often as occasions may demand either on the invitation of the Provincial Archbishop or at the request of two Bishops to discuss all matters of general interest and the well-being of the Church within their territorial jurisdiction and to implement their decisions on the following matters:

- (1) the training of priests;
- (2) the location of newly trained priests within the Province where applicable;
- (3) inter-diocesan transfer of priests;
- (4) pension and gratuities;
- (5) maintenance of common institutions;
- (6) co-operation with other Ecclesiastical Provinces within the Church of Nigeria.
- (7) such other matters as may be delegated by the General Synod.

SUCCESSION IN  
BISHOPRIC

43. In the event of the translation, retirement, death or any reason of permanent incapacity of a Bishop, there shall be elected a new Bishop soon thereafter.

TENURE OF  
OFFICE

44. The tenure of office of a Bishop shall be in accordance with the provisions of the Canon or Regulations made in respect thereof by the General Synod.

ELIGIBILITY FOR  
ELECTION

45. A Bishop for any Diocese and Mission may be elected from among the Bishops or Clergy of any Diocese of the Church of Nigeria or of any other Diocese in communion with the Church of Nigeria.

**CHAPTER XII**  
**OFFICERS OF THE GENERAL SYNOD**

OFFICERS

46. (1) The Officers of the General Synod shall be:

- (a) the Archbishop, Metropolitan and Primate of the Church of Nigeria;
- (b) the Dean of the Church of Nigeria;
- (c) the Provincial Archbishops;
- (d) the Registrar of the Church of Nigeria;
- (e) the Chancellor of the Church of Nigeria;
- (f) the General Secretary of the Church of Nigeria;
- (g) the Treasurer of the Church of Nigeria;
- (h) the Clerical Secretary;
- (i) the Lay Secretary;
- (j) the Prolocutor; and
- (k) the Chairman of the House of Laity.

ELECTION OF  
REGISTRAR

- (2) There shall be a Registrar of the Church of Nigeria, who shall be elected by the General Synod from the members of the House of Laity for the duration of the Synod, and who shall be a member of the legal profession of wide and considerable experience of not less than fifteen years post-call experience.

CHANCELLOR

- (3) There shall be a Chancellor for the Church of Nigeria, who shall be the Chancellor of the Diocese of which the Primate is a Diocesan Bishop, and who shall be a member of the legal profession of wide considerable experience of not less than fifteen years post-call experience.

ELECTION OF  
TREASURER

47. (1) During the meetings of each session, the General Synod shall elect one of its members as Treasurer who shall -
  - (a) be a qualified accountant with not less than ten years post qualification and professional experience; and
  - (b) serve until the beginning of the next ordinary session.
- (2) In the event of his being unable to serve, the Primate, after consultation with the Prolocutor and the Chairman of the House of Laity, shall appoint a member to act until the next ordinary session of the General Synod.
- (3) The Treasurer shall within nine months of the end of the year, submit to the Standing Committee or the General Synod, the annual financial statements of the Church of Nigeria for the preceding year.

APPOINTMENT  
OF JOINT  
AUDITORS

48. (1) During the meetings of each session, the General Synod shall appoint Joint Auditors who shall serve until the beginning of the next ordinary session.
- (2) The Joint Auditors shall -
  - (a) be qualified accountants with not less than ten years post qualification and professional

experience;

(b) audit the financial statements of the Church of Nigeria; and

(c) present the audit report to the Standing Committee.

APPOINTMENT OF GENERAL  
SECRETARY AND DEPUTY  
GENERAL SECRETARY

49. (1) There shall be established for the Church of Nigeria a Secretariat which shall be headed by a General Secretary who shall be a Clergyman in Priests' Order not below the status of an Archdeacon appointed by the Standing Committee on full time basis for a term of five years and upon such terms as it shall deem fit.

(2) It shall be the duty of the General Secretary to:

(a) attend meetings of the General Synod and of the Standing Committee of the General Synod and of any other Committee or body appointed by the Standing Committee as the Primate shall direct; and

(b) carry out such administrative or other duties as the Primate or the Standing Committee shall from time to time direct.

(3) There shall be appointed by the Standing Committee a Deputy General Secretary on full time basis and upon such terms as it shall deem fit.

new Diocese in between two General Synods, the Diocesan Synod concerned shall elect one clerical and one lay member to represent the Diocese.

- (3) The Primate shall be Chairman of the Standing Committee while the General Secretary shall be Secretary to the Committee.
51. It shall be the duty of the Standing Committee to act on behalf of the General Synod between sessions of the Synod, to advise the Primate in regard to such matters as he may think fit to refer to it, or that the Standing Committee may desire to bring to the notice of the Primate assist him in drawing up the agenda of the General Synod and carrying into effect the resolutions, programmes and policies of the General Synod and to administer the common fund of the Church, receive the annual accounts of the Treasurer of the Church of Nigeria and the auditor's report to be presented by the Joint Auditors: provided that all decisions of the Standing Committee shall be liable to be reviewed by the General Synod.
52.
  - (1) There shall be for the General Synod, a Committee of Reference which shall be constituted at every session of the General Synod.
  - (2) The membership and functions of the Committee of Reference shall be as specified in Clause 20 of Canon XIV of this Constitution and Canons.
53. The General Secretary of the General Synod shall prepare a written report in summary form of all matters considered and dealt with by the Standing

- (2) The Registered Trustees of the Church of Nigeria (Anglican Communion) shall consist of the following--
- (a) the Primate of the Church of Nigeria;
  - (b) the Dean of the Church of Nigeria;
  - (c) the Registrar of the Church of Nigeria;
  - (d) the General Secretary of the Church of Nigeria.

57. With effect from the registration of the Trustees under the Companies and Allied Matters Act, 1990, all property of the Church of Nigeria (Anglican Communion), movable or immovable, real or personal, shall become vested in the Registered Trustees of the Church of Nigeria (Anglican Communion) for and on behalf of the General Synod.

58. The Primate of the Church shall be the Chairman of the Registered Trustees.

59. The Registered Trustees shall have a corporate seal which shall be under the custody of the Registrar of the Church of Nigeria and shall be used with the attestation of at least four Trustees, but with the unanimous consent in writing of all Trustees:

Provided that in the event of the failure of Trustees to obtain a unanimous agreement, the General Synod by a simple majority, or the Standing Committee by two-thirds majority, may grant approval for the use of the seal.

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TENURE OF  
TRUSTEES

60. A Trustee shall cease to hold office-
- (a) if he dies;
  - (b) if he ceases to hold the office by virtue of which he became a Trustee;
  - (c) if he resigns as a Trustee;
  - (d) if he is declared bankrupt or insane by a competent tribunal or authority;
  - (e) if he is convicted of a criminal offence involving moral turpitude or other offences under Canon XVI; or
  - (f) if he is removed as a Trustee by a simple majority of the members of the General Synod.

OTHER  
TRUSTEES  
AS AGENTS

61. All Trustees holding property in trust for and on behalf of the Church of Nigeria shall henceforth be deemed to be the agents of, and be accountable to, the Registered Trustees of the Church of Nigeria (Anglican Communion), who shall have power to extend, terminate or vary the terms of the Trust where circumstances so warrant.

REPORTS AND  
ACCOUNTS OF  
TRUSTEES

62. The Registered Trustees shall render reports and accounts to the General Synod in respect of all properties vested in them or their Agents.

GENERAL  
FUND

63. A General Fund shall be established for the Church of Nigeria for the following purposes:
- (a) contributing toward the official expenses incurred by the Primate in the administration and visitation of the Church;
  - (b) providing in part or whole for the expenses

(2) No property subject to any such special Trusts shall be held by any Trustee or Trustees acting on behalf of the General Synod, unless the same shall have been accepted, in terms of such Trusts, by the General Synod, or by some Synod, Board, Committee, or other body authorised by the General Synod in that behalf: Provided that no property shall, in any case, be vested in a sole Trustee, except it is so required by particular will or deed of Gift.

69. Every Trustee in whom any property, whether movable or immovable, real or personal, shall be vested, either solely or jointly with any other person or persons, for and on behalf of the General Synod, shall hold the same with the powers and subject to the limitations, restrictions, declarations and provisions contained in section 66 of this Constitution, so far as the same may be consistent with any special Trusts affecting such property and any Synod, Board, Committee, or other Body appointed by the General Synod for that purpose, shall possess and may exercise any such of the powers belonging to the General Synod as shall be by the General Synod in that behalf prescribed.

70. Every Trustee appointed in the manner and for the purposes herein specified shall be subject to all and singular the regulations and directions which may, from time to time, be issued by or under the authority of the General Synod and shall be bound to obey and give effect to all decisions of the Tribunals for the exercise of discipline, appointed by the said General Synod.

DIOCESAN  
TRUSTEES

71. (1) Every Diocesan Synod, or Diocesan Trustees' Board appointed by such Synod, shall be a body authorised to exercise on behalf of the General Synod, the powers designated in this Constitution and hereafter in respect to property given or acquired for the benefit of the Church in that Diocese.

(2) All Diocesan Trustees shall carry out the objects of the Trusts in such manner, consistent with the terms of the Trust, as the several Diocesan Synods shall, from time to time, direct.

APPOINTMENT  
OF OTHER  
TRUSTEES

72. (1) The General Synod, or the Episcopal Synod, Board, Committee, or other Body, acting under its authority may, from time to time, appoint a Trustee or Trustees, for the whole or any portion of the property held in Trust; and may from time to time, as often as it shall think proper, cancel and revoke every such appointment, and may appoint another Trustee, or other Trustees, in the place of all or any one or more of the Trustees named in, or thereafter to be appointed by, or on behalf of, the said General Synod.

(2) Any Trustee or Trustees may, under the authority of the General Synod, as provided in the foregoing section sell, and absolutely dispose of, either together or in parcels, and either by public sale or private contract, all or any part of the said Trust Property in respect of which no Trust shall have been created inconsistent with the exercise of this present power: or, by the like direction may exchange the said property, or any part thereof, for any other freehold or quitrent lands, tenements, or hereditaments; and

give (out of any money in their hands, applicable to such purpose) or receive any money by way of equality or exchange, and may execute all such transfer as may be requisite for effectuating such sale or exchange; or, by the like direction may mortgage the said property or any part thereof:

Provided, always that all money arising from such sale, or received by any Trustee or Trustees for equality or exchange, as aforesaid, after payment of the costs and expenses, payable by such Trustee or Trustees in relation to such sale or exchange shall be expended in the absolute purchase of other freehold or quitrent lands, tenements, or hereditaments; or, failing such purchase, then under the special leave and sanction of the said General Synod, or of the Synod, Board, Committee, or other Body acting on its behalf, such Trustees or Trustee may invest and put out at interest, on good and sufficient security, any money arising as aforesaid.

- (3) All property which shall be so purchased, or received in exchange, as aforesaid, and all such investments as are provided for in the foregoing section, shall be held by the Trustees or Trustee, in whom it shall become vested, upon such trusts as the property so to be sold or given in exchange was held subject to:

Provided nevertheless, that subject to any provisions of the trust to the contrary, the General Synod, or the Synod, Board, committee, or other Body acting in its behalf

may, in respect to the peculiar circumstances of any case, allocate any of the moneys mentioned in the two foregoing sections, to purposes in the same Diocese other than those provided in the said sections, such purposes being always, as far as practicable, of the same nature as those which were contemplated in the original Trust.

- (4) The receipt, in writing, of any Trustees or Trustee shall be a good and effectual discharge for all money paid to them, or him under or by virtue of these presents and shall exonerate the person or persons paying such money from all obligation of seeing to the application thereof, and from all liability on account of the loss, mis-application, or non-application thereof: and it shall be incumbent on any purchaser or other person, to or with whom such sale, exchange, or lease as aforesaid shall be made, to inquire as to the necessity for, or propriety of such sale, exchange, or lease.
- (5) Every Trustee shall be chargeable for such money only as he shall actually have received, although he shall have joined in any receipt for money received by any Co-Trustee. He shall not be liable for any loss which may arise by reason of any Trust money being deposited in the hands of any Banker or Agent, or from the insufficiency or deficiency of any security upon which the Trust money, or any part thereof, may be invested, nor for any loss in the execution of the Trust, unless the same shall happen through his own wilful neglect or default.

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COMPLAINTS  
AGAINST THE  
ARCH BISHOP  
OF A PROVINCE.

76. (1) Where the complaint is against the acts or omissions of the Archbishop of a Province, then the complaint, in writing, shall be made to the Primate who shall forward same to the Archbishop and call for his response.
- (2) The concerned Archbishop shall deliver his response to the allegations not later than twenty-one days after receipt of the complaint from the Primate who shall thereafter set up a Seven-Man Committee, comprising of the Dean, at least three Archbishops and three Chancellors, (none from the Province of the Archbishop concerned) to look into the matter and report back to the Primate within a period of fourteen days.
- (3) The Primate shall, within fourteen days of the submission of the findings and the recommendations of the Committee, submit same to the Episcopal Synod for consideration.
- (4) The Episcopal Synod may after the consideration of the report review, modify, reject or adopt the recommendations which shall be subject to the approval of the Standing Committee.
- (5) The approval of the Standing Committee referred to in subsection (4) of this Section shall be subject to ratification by the General Synod whose decision on the matter shall be final and binding.

COMPLAINTS  
AGAINST THE  
DEAN.

77. (1) Where the complaint is against the acts or omissions of the Dean, then the complaint, in writing, shall be made to the Primate who shall forward same to the Dean and call for his response.

- (3) Within twenty-one days of the receipt of the response, the Primate shall constitute a Seven-Man Committee which shall be made up of three Archbishops and/or Bishops, the Registrar of the Church of Nigeria and three Chancellors (none from the Dioceses concerned) to look into the dispute and report its findings and recommendations to the Primate within 14 days thereof.
  - (4) The Primate shall, within fourteen days of the submission of the findings and the recommendations of the Committee, submit same to the Standing Committee for consideration.
  - (5) The Standing Committee may, after the consideration of the report review, modify, reject or adopt the recommendations which shall be subject to the approval of the Standing Committee.
  - (6) The approval of the Standing Committee referred to in subsection (5) of this Section shall be subject to ratification by the General Synod whose decision on the matter shall be final and binding.
80. (1) Where any member, Clergy, Bishop, Diocese or Diocesan organisation is aggrieved by any act or decision of the Church of Nigeria or any of her organs or principal officers of whatever nature or description, the aggrieved person or Diocese shall forward a written complaint/petition of its grievance to the Primate.
- (2) The Primate shall, within twenty-one days of the receipt of the complaint/petition, constitute a Seven-Man Committee which

CONCERNS  
ABOUT  
DECISIONS  
OF THE CHURCH  
OF NIGERIA.

DISPUTE  
AGAINST  
ELECTIONS  
VACANT PO  
WITHIN THE  
CHURCH.

GENERAL  
STANDING  
RULES ON  
DISPUTE  
RESOLUTION  
PROCESSES.

shall be made of three Archbishops, the Registrar of the Church of Nigeria and three Chancellors to look into the dispute and report its findings and recommendations to the Primate within fourteen days thereof.

- (3) The Primate shall, within fourteen days of the submission of the findings and the recommendations of the Committee, submit same to the Standing Committee for consideration.
- (4) The Standing Committee may, after the consideration of the report review, modify, reject or adopt the recommendations which shall be subject to the approval of the Standing Committee.
- (5) The approval of the Standing Committee referred to in subsection (4) of this Section shall be subject to ratification by the General Synod whose decision on the matter shall be final and binding.

DISPUTE  
AGAINST  
ELECTIONS TO  
VACANT POSTS  
WITHIN THE  
CHURCH.

81. Except as otherwise provided by the Constitution or any Canon or Regulations made by the General Synod, all disputes arising from elections to any vacant posts within the Church shall be determined by the Standing Committee of the Church of Nigeria whose decision on the matter shall be subject to ratification by the General Synod whose decision on the matter shall be final and binding.

GENERAL  
STANDING  
RULES ON  
DISPUTE  
RESOLUTION  
PROCESSES.

82. During the subsistence of dispute resolution processes under any section of this Chapter of the Constitution, no party shall seek the intervention of a court of law or any outside body for redress.

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- |                                       |                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CLERGY                                | (6) "Clergy" is and shall mean all Priests and Deacons who, according to this Constitution of the Church of Nigeria, exercise spiritual functions under the authority and spiritual jurisdiction of any Bishop of the Church of Nigeria.                                                                                                         |
| CONSTITUTION OF THE CHURCH OF NIGERIA | (7) "Constitution of the Church of Nigeria" is and shall mean this Constitution subject to such alterations or additions as may hereafter be made by the General Synod in accordance with the procedure herein provided.                                                                                                                         |
| CONVOCATION                           | (8) "Convocation" shall mean non-geographic assembly of Churches and Mission.                                                                                                                                                                                                                                                                    |
| DEAN                                  | (9) "Dean" means a serving Ecclesiastical Provincial Archbishop so elected by the House of Bishops and shall be next in rank to the Primate and perform all such duties as are specified for him by the Constitution and the Canons of the Church of Nigeria and such other duties as may be assigned to him, from time to time, by the Primate. |
| DIOCESAN BISHOP                       | (10) "Diocesan Bishop" means a Priest who is elected to be in charge of a Diocese.                                                                                                                                                                                                                                                               |
| DIOCESAN SYNOD                        | (11) "Diocesan Synod" is and shall mean an assembly consisting of the Diocesan Bishops, Suffragan Bishops, the House of Clergy and the House of Laity of a Diocese constituted according to such Regulations as have been or shall be made in such Diocese and approved by the General Synod.                                                    |
| EPISCOPAL SYNOD                       | (12) "Episcopal Synod" is and shall mean a general meeting of the Bishops of the Church of Nigeria summoned independently of the General Synod to discuss Episcopal matters.                                                                                                                                                                     |

GENERAL  
SYNOD

- (13) "General Synod" is and shall mean an assembly of the Houses of Bishops, Clergy and Laity of the Church of Nigeria, constituted, convened and held in accordance with the provisions of the Constitution of this Province.

HOUSE OF  
BISHOPS

- (14) "House of Bishops" is and shall mean the Bishops of the Church of Nigeria assembled as a body or group within the General Synod in accordance with the provisions of the Constitution of the Church of Nigeria.

HOUSE OF  
CLERGY

- (15) "House of Clergy" is and shall mean all ordained priests of the Church of Nigeria who are members of the General Synod, assembled as a body in accordance with the provisions of this Constitution.

HOUSE OF  
LAITY

- (16) "House of Laity" is and shall mean all members of the Laity of Church of Nigeria who are members of the General Synod, assembled as a body in accordance with the provisions of this Constitution.

PRIMATE

- (17) "Primate" means the Bishop elected to be the Principal Minister of the Church of Nigeria and who may also be designated as the Archbishop, Metropolitan and Primate of the Church of Nigeria.

REGULATIONS  
OF THE SYNOD

- (18) "Regulation" means any measure, regulation or law made by or under the authority of the General Synod or by any House, Committee or Body of or appointed by the General Synod or any body set up by or under its authority.

SUFFRAGAN  
BISHOP

- (19) "Suffragan Bishop" means a Priest appointed by a Diocesan Bishop and presented to the House of Bishops for election to assist him in the work of his Diocese.

STANDING  
COMMITTEE

- (20) "Standing Committee" is and shall mean those special members of the Houses of Bishops, Clergy and Laity of the General Synod who have authority under the Constitution to act and function as the Executive Committee of the General Synod.

SAVINGS

89. (1) The statutory functions, rights, interests, obligations and liabilities of the Church of Nigeria represented by the Registered Trustees, existing before the commencement of this Constitution under any contract or instrument, or in law or in equity shall by virtue of this Constitution, be deemed to have been assigned to and vested in the Church of Nigeria represented by the Registered Trustees constituted by this Constitution.
- (2) Any such contract or instrument as is mentioned in subsection (1) of this section shall be of the same force and effect against or in favour of the Church of Nigeria represented by the Registered Trustees constituted by this Constitution and shall be enforceable as fully and effectively as if instead of the Church of Nigeria represented by the Registered Trustees existing before the commencement of this Constitution, the Church of Nigeria represented by the Registered Trustees constituted by this Constitution has been named therein or had been a party thereto.
- (3) The Church of Nigeria represented by the Registered Trustees constituted by this Constitution shall be subject to all the obligations and liabilities to which the Church of Nigeria represented by the Registered Trustees existing before the

commencement of this Constitution was subject to immediately before the commencement of this Constitution and all other persons shall have the same rights powers and remedies against the Church of Nigeria represented by the Registered Trustees constituted by this Constitution as they had against the Church of Nigeria represented by the Registered Trustees existing before the commencement of this Constitution.

- (4) Any proceeding or cause of action pending or existing immediately before the commencement of this Constitution, by or against the Church of Nigeria represented by the Registered Trustees existing before the commencement of this Constitution in respect of any right, interest, obligation or liability of the Church of Nigeria existing before the commencement of this Constitution may be continued or as the case may be commenced and any determination of a court of law, tribunal or other authority or person may be enforced by or against the Church of Nigeria represented by the Registered Trustees constituted by this Constitution to the same extent that such proceeding or cause of action or determination might have been continued, commenced or enforced by or against the Church of Nigeria represented by the Registered Trustees existing before the commencement of this Constitution.
- (5) All assets, funds, resources and other movable or immovable property which immediately before the commencement of this Constitution were vested in the Church

of Nigeria represented by the Registered Trustees existing before the commencement of this Constitution shall by virtue of this Constitution and without further assurance, be vested in the Church of Nigeria represented by the Registered Trustees constituted by this Constitution.

- (6) Any person who immediately before the coming into force of this Constitution is the holder of any office either by election or appointment in the Church of Nigeria shall, on the commencement of this Constitution, continue in office and be deemed to have been elected or appointed to his office by the Church of Nigeria unless the authority by which the person was so elected or appointed, terminates the election or appointment.

DATE OF COMMENCEMENT      90.      The provisions of this Constitution and the Canons of the Constitution shall be binding and take effect from the 23<sup>rd</sup> day of September, 2020.

**SCHEDULE REFERRED TO IN SECTION 22  
(PARAGRAPH XIV)**

| S/No | PROVINCE     | DIOCESES WITHIN THE PROVINCE                                                                                                     | TOTAL |
|------|--------------|----------------------------------------------------------------------------------------------------------------------------------|-------|
| 1    | LAGOS        | Lagos, Egba, Ijebu, Remo, Yewa, Lagos-West, Badagry , Ijebu North, Lagos Mainland, Ifo, Egba West , Awori Ijebu South West       | 13    |
| 2    | OF THE NIGER | On the Niger, Awka, Nnewi, Aguata, Ogburu, Ihiala, Niger West, Mbamili, Amichi                                                   | 9     |
| 3    | NIGER DELTA  | Niger-Delta, Calabar, Uyo, Niger-Delta-North, Niger Delta-West, Okrika, Ahoada, Ogoni. Etche, Ikwerre, Northern Izon, Ogbia, Evo | 13    |

|    |        |                                                                                                                                                                                                   |    |
|----|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 4  | IBADAN | Ibadan, Ilesa, Osun, Ife, Oke-Osun, Ibadan-North, Ibadan-South, Oyo, Ogbomoso, Oke-Ogun, Ajayi Crowther, Ife East, Osun North, Ilesha South-West, Ilesha North, Osun North East, Ijesa North-East | 17 |
| 5  | ONDO   | Ondo, Ekiti, Akoko, Owo, Akure, On the Coast, Ekiti-West, Ekiti-Oke, Ilaje, Irele-Ese Odo, Ile-Oluji, Idoani                                                                                      | 12 |
| 6  | KADUNA | Kaduna, Kano, Katsina, Sokoto, Kebbi, Dutse, Wusasa, Gusau, Zaria, Bari, Ikara                                                                                                                    | 11 |
| 7  | OWERRI | Owerri, Orlu, Mbaise, Isimbano, Okigwe-South, Egbu, Ideato, Ohaji/Egbema, On the Lake, Oru, Okigwe, Ikeduru                                                                                       | 12 |
| 8  | BENDEL | Benin, Asaba, Warri, Sabongida-Ora, Ughelli, Oleh, Esan, Ika, Western Izon, Akoko-Edo, Etsako, Ndokwa, Sapele                                                                                     | 13 |
| 9  | ENUGU  | Enugu, Nsukka, Abakaliki, Oji River, Awgu/Aninri, Enugu North, Ngbo, Ikwo, Afikpo, Nike, Udi, Eha-Amufu                                                                                           | 12 |
| 10 | ABA    | Aba, Umuahia, Ukwa, Isikwuato, Arochukwu, Ikwuano, Isiala Ngwa South, Isiala-Ngwa, Aba Ngwa North                                                                                                 | 9  |
| 11 | KWARA  | Kwara, Offa, Igbomina, New Bussa, Omu-Aran, Jebba, Ekiti Kwara, Igbomina West                                                                                                                     | 8  |
| 12 | JOS    | Jos, Yola, Maiduguri, Bauchi, Damaturu, Jalingo, Gombe, Pankshin, Bukuru, Langtang                                                                                                                | 10 |
| 13 | ABUJA  | Abuja, Kafanchan, Makurdi, Otukpo, Gwagwalada, Lafia, Kubwa, Zonkwa, Kwoi, Zaki-Biam, Gboko                                                                                                       | 11 |

# CANONS

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**CANON I**  
**Of Fundamental Declarations**

1. The Church of Nigeria (Anglican Communion) hereinafter called "The Church of Nigeria" or "This Church" shall be in full communion with all Anglican Churches Dioceses and Provinces that hold and maintain the Historic Faith, Doctrine, Sacrament and Discipline of the one Holy, Catholic, and Apostolic Church as the Lord has commanded in His holy word and as the same are received as taught in the Book of Common Prayer and the ordinal of 1662 and in the Thirty-Nine Articles of Religion.
2. The Church of Nigeria has power so to order its discipline as to banish and drive away all erroneous and strange doctrines which are contrary to God's word as understood and interpreted in the aforementioned formularies.
3. In the interpretation of the aforementioned formularies and in all questions of Faith, Doctrine and Discipline, the decisions of the ecclesiastical tribunals of the Church of Nigeria shall be final.
4. The Church of Nigeria holds as its standard of worship and authorizes for general use the Book of Common Prayer of the Church of England and the Book of Common Prayer of the Church of Nigeria.
5. The Church of Nigeria has power to make and authorize such changes and additions or alternatives to the forms of service provided in the said books and such new forms and service as may be required to meet the needs of this Church and are neither contrary to the doctrinal standards named in these Declarations nor indicative of any departure from them.
6. This Church holds that each of the three Orders of the Ministry - Bishops, Priests and Deacons - has particular duties in the Church and that this distribution of duties may rightly be attributed to the guidance of the Holy Spirit. Thus, the Bishops have a special responsibility and authority for the preservation of the truth of the doctrine of the Church for the purity of its life, and the worthiness of its worship; the Priests; in co-operation with and under the guidance of the Bishops have a special responsibility for preaching the word of God and administering the Holy Sacraments and generally for the cure of souls, and the Deacons have a special responsibility for the care of the poor and distressed, for the instruction of the young and the ignorant, and for giving assistance to the

Priests in Divine Service.

7. No fundamental amendment to the foregoing Declarations may be made unless the proposed amendment is first provisionally approved by the General Synod, is subsequently submitted to each Diocese of the Church of Nigeria for consideration and receives the approval of not less than two-thirds of the Dioceses and is finally confirmed by at least a two-thirds majority vote of the General Synod. The amendment shall thereafter be communicated to all the Metropolitans of the Anglican Communion.

## CANON II Of Election of Primate

### OFFICE OF PRIMATE

1. (1) There shall be an Archbishop, Metropolitan and Primate of the Church of Nigeria (Anglican Communion), who shall be the Bishop of Abuja Diocese and Archbishop of Abuja Province and exercise all the rights and perform all the duties of a Metropolitan and shall be the principal minister of the Church.

### ELECTION OF PRIMATE

- (2) The Archbishop, Metropolitan and Primate may be referred to simply as "the Primate" and shall be elected by the Episcopal Synod in accordance with the provisions of this Canon.

### ADVISORY COMMITTEE

2. (1) For the purpose of electing the Primate there shall be a Church of Nigeria Advisory Committee.
- (2) The Advisory Committee shall comprise one clerical member and one lay member elected for that purpose by each Diocesan Synod.
- (3) For the purpose of holding the meeting of the Advisory Committee, the members shall

elect one of their number to be the Chairman at the meeting of the Committee.

(4) One of the functions of the Committee shall be to advise the Episcopal Synod in writing on the qualifications and qualities required in the Primate.

(5) The recommendations as to the qualifications and qualities by the Church of Nigeria Advisory Committee shall be submitted in writing by a delegate of the Advisory Committee to the Dean not later than thirty days prior to the holding of the Episcopal Synod.

(6) The Dean shall circulate the recommendations to the members of the Episcopal Synod not later than fourteen days before the election of the Primate.

NOMINATION

3. The Episcopal Synod shall have the right to nominate up to four members of their own House who in their own opinion have what they consider to be the qualifications and qualities required in the Primate.

HOW ELECTED

4. (1) The Primate shall be elected by secret ballot after the nominations have ended.

(2) The candidate who shall be declared elected shall secure at least two-thirds of the votes of the total membership of the Episcopal Synod or as otherwise provided in this Canon.

TENURE OF OFFICE

5. (1) The Primate shall hold office for a period of ten years from the date of his presentation or until he attains the age of seventy years, whichever first occurs:

Provided that his tenure may be terminated before the expiration of the term -

- (a) on the resolution of a two-thirds majority of the Episcopal Synod; or
- (b) by a majority vote of at least two-thirds of the members of the General Synod; or
- (c) upon the receipt of at least six months' notice of his intention to leave office.

RETIREMENT,  
DEATH AND  
RESIGNATION

(2) If the Primate retires, dies or resigns as Archbishop Metropolitan and Primate:

- (a) he shall cease to be Bishop of Abuja and Archbishop of Abuja Province; or
- (b) where he has not attained the age of seventy years he shall be deemed to have retired from office.

VACANCY IN PRIMACY

6. (1) When the office of the Primate is vacant by reason of death or permanent incapacity, the Dean of the Church of Nigeria shall summon the Church of Nigeria Advisory Committee to meet within two months of the date on which the vacancy occurs, to make a recommendation which shall be submitted to the Episcopal Synod to be specially summoned for that purpose within one week of the meeting of the Church of Nigeria Advisory Committee.

(2) When the Primate notifies the Dean of his intention to resign or retire and the Dean has in consultation with the Bishops accepted the resignation or retirement, the Dean shall within two months summon a meeting of the Church of Nigeria Advisory Committee, to make their recommendation to the Episcopal Synod. The recommendation of the Church of Nigeria Advisory Committee

shall be submitted to a meeting of the Episcopal Synod which shall meet within one week of the Church of Nigeria Advisory Committee meeting for the purpose of electing a successor.

PROCEDURE AT ELECTION

7. (1) On the day of the election, Holy Communion shall be celebrated by the Dean of the Church of Nigeria or another Bishop appointed by him.
- (2) The election shall be presided over by the Registrar of the Church of Nigeria. In his absence, the Dean of the Province shall appoint the Chancellor of any Diocese of the Church of Nigeria to preside.
- (3) Should the election not be determined upon the first ballot, the procedure shall be repeated a second, and, if need be, a third time.
- (4) If the election remains indecisive, a fourth ballot shall be taken and the candidates to be voted for shall be limited to the two persons with the highest votes on the third ballot.
- (5) If the election still remains indecisive, further election shall be postponed till the next day. On that day, Holy communion shall be celebrated and shall be followed by a fifth ballot which shall be decided by a simple majority of all members present and voting. If there is a tie, the candidate who is senior by consecration shall be declared elected.
- 6) A certificate issued by the Registrar or the person who has presided over the election of a Primate shall be final and conclusive as to its contents.

- (7) Any dispute arising from the election of Primate shall be determined by the Episcopal Synod with the Registrar presiding, and their decision shall be final. Provided that when there is any allegation of misconduct against the Registrar in the conduct of the election, the immediate past Registrar of the Church of Nigeria shall preside or in his absence any other legal officer of the Church elected by the Episcopal Synod.

PUBLICATION

8. As soon as possible after the election, the Dean of the Church of Nigeria (or the Episcopal Secretary) shall cause the name of the newly elected Primate to be published in all the Dioceses within Nigeria and notify all the other Metropolitans of the Anglican Communion.

CANON III

Of Election of The Dean of The Church of Nigeria

OFFICE OF  
THE DEAN

1. There shall be a Dean of the Church of Nigeria who shall be elected in accordance with the provisions of Clauses 2 and 3 of this Canon.

ELIGIBILITY TO  
BE ELECTED AS  
DEAN

2. The Dean shall be elected from among serving Ecclesiastical Provincial Archbishops.

ELECTION

3. The Dean shall be elected by the House of Bishops by a simple majority.

FUNCTIONS

4. (1) During a vacancy in the office of the Primate, or in the event of the incapacity of the Primate, duly certified by a medical doctor, the Dean shall perform the duties assigned to the Primate assigned to the Primate under

this Constitution.

(2) In the absence of the Primate, the Dean shall perform such duties of the Primate as the Primate may assign to him in writing and which shall be notified to other Bishops of the Church of Nigeria.

(3) The Dean shall perform such other duties as may be assigned to him, from time to time, by the Primate.

TENURE

5. (1) The Dean shall hold office -

(a) for a single term of five years only; or

(b) until he attains the age of seventy years,

whichever occurs first.

(2) For the avoidance of doubt-

(a) if the tenure of the Dean as Provincial Archbishop expires before the expiration of his tenure as Dean, he shall continue in the office as Provincial Archbishop until his tenure as Dean, expires; or

(b) when the tenure of a Dean expires without his attaining the age of seventy years, he shall remain as Diocesan Bishop.

INCAPACITY

6. Where the Dean is unable to perform the functions of his office by reason of ill-health or such other related reasons, the most senior Ecclesiastical Provincial Archbishop by presentation shall, act in that capacity as Dean.

OBEDIENCE  
OF BISHOPS,  
CLERGY AND LAITY

7. When the Dean is acting for the Primate in accordance with the provisions of this Constitution, the Bishops, Clergy and Laity of the Church of Nigeria shall render to him such obedience as they abound to give to the Primate.

#### CANON IV Of Election of a Provincial Archbishop

OFFICE OF  
PROVINCIAL  
ARCHBISHOP

1. (1) There shall be a Provincial Archbishop who shall be the Chairman of the Provincial Council of a Province within the Church of Nigeria (Anglican Communion).

ELECTION OF  
PROVINCIAL  
ARCHBISHOP

- (2) The Provincial Archbishop shall be elected by the Episcopal Synod from the Bishops having Sees within the Province in accordance with the provisions of this Canon.

PROVINCIAL  
ADVISORY  
COMMITTEE

2. (1) For the purpose of electing a Provincial Archbishop there shall be a Provincial Advisory Committee.

- (2) The Provincial Advisory Committee shall comprise one clerical member and one lay member elected for that purpose by each Diocesan Synod of Dioceses within the Province.

- (3) For the purpose of holding the meeting of the Advisory Committee, the members shall elect one of their number to be the Chairman at the meeting of the Committee.

- (4) One of the functions of the Provincial Advisory Committee shall be to advise the Episcopal Synod in writing on the qualifications and qualities required in a

Provincial Archbishop.

(5) The Chairman of the Provincial Advisory Committee shall submit its recommendations in writing as to the qualifications and qualities proposed by the Provincial Advisory Committee to the Primate not later than thirty days prior to the holding of the Episcopal Synod.

(6) Upon receiving the views of the Provincial Advisory Committee, the Primate shall convey the views in writing to the members of the Episcopal Synod not later than fourteen days before the election of the Provincial Archbishop.

#### NOMINATION

3. The Episcopal Synod shall have the right to nominate up to four members of their own members whose Sees are within the Province concerned and who in their opinion having consideration as to the qualifications and qualities required in an Archbishop as submitted by the Provincial Advisory Committee.

#### HOW ELECTED

4. (1) The Provincial Archbishop shall be elected by secret ballot after the nominations have ended.
- (2) The candidate who shall be declared elected shall secure at least two-thirds of the votes of the total membership of the Episcopal Synod present and voting.

#### TENURE OF OFFICE

5. (1) The Provincial Archbishop shall hold office for a period of five years in the first instance from the date of his presentation or until he attains the age of seventy years, whichever first occurs:

Provided that a Provincial Archbishop who has not attained seventy years of age -

- (a) shall be eligible for re-election for a further final period of five years; and
- (b) may, at the expiration of that period of five years, remain in his Diocese as a Bishop.

RESIGNATION

- (2) A Provincial Archbishop may resign the Archbishopric without thereby resigning as Bishop of his Diocese: but if he resigns as Bishop of his Diocese, he shall cease to be Provincial Archbishop unless he is at the same time translated as Diocesan Bishop to another See within the Province.

VACANCY IN THE  
OFFICE OF THE  
PROVINCIAL  
ARCHBISHOP

- 6. (1) When the office of the Provincial Archbishop is vacant by reason of death or permanent incapacity, the Primate or in his absence, the Dean of the Church of Nigeria shall summon the Provincial Advisory Committee to meet within two months of the date on which the vacancy occurs, to make recommendations which shall be submitted to the Primate who shall present it to the Episcopal Synod to be specifically summoned for that purpose within two weeks of the meeting of the Provincial Advisory Committee.
- (2) When a Provincial Archbishop notifies the Primate of his intention to resign or retire, and the Primate, or in his absence the Dean of the Church of Nigeria shall within two months summon a meeting of the Provincial Advisory Committee, to perform its duties under the provisions of this Canon. The recommendations of the Provincial

Advisory Committee shall be submitted to the Primate which shall meet within two weeks of the meeting of the Provincial Advisory Committee for the purpose of electing a successor:

Provided that a new Archbishop shall be elected not later than three months before the expiration of his tenure, or the expiration of the notice of retirement and/or resignation.

PROCEDURE AT  
ELECTION

7. (1) On the day of the election, Holy Communion shall be celebrated by the Primate or any other Bishop appointed by him.
- (2) The election shall be presided over by the Primate or any other Bishop appointed by him.
- (3) In the event of the election not being determined on the first ballot, the procedure shall be repeated a second, and, if need be, a third time.
- (4) If the election remains indecisive, a fourth ballot shall be taken and the candidates to be voted for shall be limited to the two persons with the highest votes on the third ballot.
- (5) If the election still remains indecisive, further election shall be postponed till the next day. On that day, Holy communion shall be celebrated as directed by the Primate and shall be followed by a fifth ballot which shall be decided by a simple majority of all members present and voting. If there

is a tie, the candidate who is senior by consecration shall be declared elected.

PUBLICATION

8. As soon as possible after the election, the Primate shall cause the name of the newly elected Provincial Archbishop to be published in all Dioceses.

CANON V

Of Election of Bishops

ELECTION OF  
BISHOPS

1. Every Bishop of the Church of Nigeria shall be elected in accordance with the procedure laid down in this Canon.

CONFIRMATION

2. Every election of a Bishop within the Church of Nigeria must be confirmed in writing by the Archbishop, Metropolitan and Primate of the Church of Nigeria before it can take effect.

OATH OF OBEDIENCE

3. At his consecration or translation, every Bishop of the Church of Nigeria shall swear an oath of Canonical obedience to the Archbishop, Metropolitan and Primate of the Church of Nigeria and to his lawful successors.

PERSONS ELIGIBLE

4. A Bishop for any Diocese in the Church of Nigeria may be elected from among the Bishops or Clergy of any diocese of the Church of Nigeria, or of any other Diocese in Communion with this Church who shall -
  - (a) not be below the age of forty five years;
  - (b) have been a Priest for a minimum period of fifteen years;
  - (c) have a first degree in theological education.

5. The Episcopal Synod shall have power to translate a Bishop from one Diocese to another as prescribed by this Canon.
6. When a Diocese is vacant, and the Advisory Committee of the Diocese has submitted its recommendations to the Primate, the Episcopal Synod may translate a Bishop to the vacant See by a simple majority of members present and voting.
7. When the Episcopal Synod is informed that it is desirable to translate a Bishop in the interest of the Church, the said Bishop shall be given reasonable opportunity to express his views, and -
  - (a) he may be translated to a vacant See by a simple majority if he accepts the translation voluntarily after the Advisory Committee has been fully consulted; or
  - (b) he may be compulsorily translated by two-thirds majority. In the event of the Bishop rejecting his compulsory translation under this Canon, he shall be deemed to have retired and the provisions relating to the compulsory retirement of a Bishop shall apply.
8. The appointment of a Bishop to a Diocese of the Church of Nigeria shall take effect from the moment of his consecration, or, if he be already consecrated, upon the confirmation of his appointment by the Primate, provided that everyone so appointed shall declare, in writing, his assent to the Constitution of the Church of Nigeria according to forms prescribed by the General Synod.

TAKING EFFECT  
OF APPOINTMENT  
AND  
DECLARATION

DIOCESAN  
ADVISORY  
COMMITTEE

9. (1) There shall be in each Diocese of the Church of Nigeria an Advisory Committee to be appointed by the Synod of the Diocese to advise the Primate on the appointment of a Diocesan Bishop when a vacancy occurs in the Diocesan Bishopric.

(2) The Committee shall consist of four clerical and five lay members of the Synod of the Diocese. The lay members shall include at least one woman and also the Chancellor of the Diocese who shall be the Chairman of the Committee. It shall be the duty of the Bishop of each Diocese after every Synod to inform the Primate of the name and address of the Chairman of the Advisory Committee of his Synod.

PROCEDURE  
ON DEATH OF BISHOP

10. On the death of any Diocesan Bishop of the Church of Nigeria, the Dean or Provost of the Cathedral of the Diocese, or the Senior Archdeacon, or the Senior Priest shall, within seven days, notify the vacancy in writing to the Primate.

PROCEDURE ON  
RESIGNATION

11. On the resignation of any Diocesan Bishop of the Church of Nigeria, the Primate, after the acceptance of the resignation shall notify the same to the Diocese concerned.

PROCEDURE ON  
RETIREMENT, TRANSLATION  
AND RESIGNATION IN  
OTHER CASES

12. In the event of retirement, translation, death or permanent incapacity of a Diocesan Bishop of the Church of Nigeria or of his being divested of his ecclesiastical dignity, the Primate shall notify same to the Vicar-General of the Diocese concerned, or, where no Vicar-General has been appointed, to the Dean or Provost of the Cathedral, or to the Senior Archdeacon or the Senior Priest.

BISHOPS TO BE  
INFORMED

13. When a vacancy in the Bishopric in the Church of Nigeria occurs, by reason of death or other sufficient cause, the Primate shall instruct the Advisory Committee of the Diocese concerned to meet and forward to the Primate in writing the recommendations of the Advisory Committee in general terms on the qualifications and qualities required in the Bishop to be elected for the consideration of the Episcopal Synod.

RECOMMEN-  
DATIONS OF  
ADVISORY  
COMMITTEE

14. Upon receiving the recommendations of the Advisory Committee, the Primate shall convey them in writing to the members of the Episcopal Synod.

(1) The recommendations as to the qualifications and qualities by the Diocesan Advisory Committee shall be submitted in writing by a delegate of the Advisory Committee to the Primate not later than thirty days prior to the holding of the Episcopal Synod.

(2) The Primate shall circulate the recommendations to the members of the Episcopal Synod not later than fourteen days before the election of the Bishop.

METHOD OF ELECTION

15. (1) The Primate shall summon the Episcopal Synod to meet at such place and time as he shall appoint, and the Episcopal Synod shall elect a new Bishop to the vacant Bishopric.
- (2) The election shall be preceded by the celebration of Holy Communion.
- (3) At the election, nominations shall be made by the Primate and Bishops. The election shall be by secret ballot.

- (4) An elector may, if unable to be present, send his nomination and/or vote, in writing signed and witnessed, to the Primate.
- (5) The election shall be determined by a two-thirds majority of the total membership including those absent as well as those present whether voting or not voting.
- (6) If the election be not decided upon the first ballot, a second ballot shall be taken on the two candidates with the highest number of votes and it shall be decided by simple majority of those present and voting. In the event of a tie, the Primate or Bishop presiding shall have a casting vote.

NOTIFICATION  
OF ELECTION

- 16. The Primate or Bishop presiding over the election of a new Bishop shall notify the person so elected.

VERIFICATION

- 17. Before confirming the election, the Primate shall examine or cause to be examined by a Chancellor or Registrar of any Diocese of the Province the following documents to be presented by the Bishop-Elect-
  - (i) Certificate of birth or other proof of his age;
  - (ii) Certificates or other proof of his Baptism and Confirmation;
  - (iii) His letters of Orders; and
  - (iv) Letters commendatory or dismissory from the Bishop of his Diocese or the Archbishop of his Province.

CONFIRMATION

18. Upon receiving the acceptance of the offer, the Primate shall confirm the election and inform the outgoing Bishop or Vicar-General (as the case may be) of the Diocese concerned.

DECLARATION

19. When an election of a new Diocesan Bishop is made, a Declaration of such Election shall be made and signed in duplicate, in the presence of and on behalf of the meeting (if it be done at a meeting), by the Primate or Bishop presiding over the election and one other Bishop who shall be senior in consecration to the other Bishops. One copy of the Declaration shall be kept in the Registry of the Church of Nigeria, and the other kept in the Registry of the Diocese concerned.

NOTICE OF  
ELECTION

20. Immediately after the election of a Bishop by the Episcopal Synod, the Primate shall cause the following notice to be affixed to the principal door of the Cathedral of the Diocese concerned -

"Whereas A.....  
B.....in the Diocese  
of.....  
within the Church of Nigeria (Anglican  
Communion) has been duly elected Bishop of the  
Diocese of.....if anyone can show  
any cause or just impediment why the said A.B.  
should not be consecrated to that Holy Office (or  
translated to that See), or can offer any canonical  
objection to the election or form thereof let him  
signify the same to me in writing delivered by hand  
or registered post within fourteen days from this  
date."

(Signed by the Archbishop, Metropolitan and  
Primate.) The notice shall also be proclaimed in the  
Cathedral of the Diocese during Divine Service on  
the two Sundays following.

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GROUNDS OF  
OBJECTION

21. Valid objection may be made on the grounds either that the See is not canonically vacant or that the election was unconstitutional, or that the person elected is under forty-five years of age, and has not been a priest for fifteen years; is not of competent learning, or of sound faith, or of good morals, or is otherwise canonically disqualified, or that he is under such liabilities or contracts as not to be a free agent.

EXAMINATION  
OBJECTION

22. If any canonical objection to the election be offered, the Primate, together with his Diocesan Chancellor, shall examine such objection. Objections may only be offered by a communicant member of the Church, of an honest life and good report, who shall supply sufficient certificates to that effect, and who shall subscribe a declaration that he will accept the decision of the Primate as final.

DECISION

23. In the examination of a canonical objection, the decision of the Primate shall be final.

PROMULGATION

24. If the Primate is satisfied that the documents presented by the Bishop-Elect are sufficient, and that no canonical objection which may have been offered to the election is valid, he shall confirm the election and issue the instrument of confirmation to the Vicar-General. He shall transmit the name of the person elected to the other Metropolitans of the Anglican Communion.

**CANON VI**  
**Of Appointment of Suffragan Bishop**

APPOINTMENT OF  
SUFFRAGAN  
BISHOP

1. (1) When a Diocesan Bishop deems it necessary for the good of the Church that a Suffragan Bishop should be appointed to assist him in the work of his Diocese, it shall be competent

for him, after receiving the concurrence of the Diocesan Synod by resolution, to make application to Episcopal Synod through the Primate for leave to appoint a Suffragan Bishop.

- (2) On receiving the application the Episcopal Synod shall take into consideration the state of the Diocese and shall enquire into the question whether adequate provision has been made in the Diocese concerned for the housing and maintenance of a Suffragan Bishop, and may either grant or withhold their consent to such appointment being made.
- (3) When the office of Suffragan Bishop in any diocese falls vacant it shall suffice for the Episcopal Synod alone to authorise the Bishop of the said Diocese to proceed to fill the vacancy provided no vacancy shall be filled by the Diocesan Bishop without full consultation with his Diocesan Board.
- (4) Whenever an appointment of any Suffragan Bishop is to be made, the Diocesan Bishop shall nominate a person to the Primate of the Church of Nigeria after consultation in his Diocese for election to the office.

The Primate after consultation with the Diocesan Bishop, may, in his discretion, either issue his summons to attend the Episcopal Synod to consider the nomination, or cause a postal ballot of all those entitled to attend to be held. If the nomination be approved by a simple majority of the Diocesan Bishops either at a meeting or by postal ballot, the person in

question shall be declared elected subject to the canonical confirmation of the election by the Primate through the Diocesan Bishop.

VERIFICATION,  
CONFIRMATION &  
CONSECRATION  
OF A BISHOP  
SUFFRAGAN  
OBJECTIONS TO  
APPOINTMENT  
DECISION OF  
THE PRIMATE

2. The verification of all relevant Documents of a Suffragan Bishop, the Confirmation of his appointment, notice of the Election, Objections to the appointment, Examination of Objection, Decision and Promulgation shall be as in the case of a Bishop except that the instrument of Confirmation shall be sent to the Diocesan Bishop concerned.

VOTING RIGHT OF  
A SUFFRAGAN  
BISHOP

3. A Suffragan Bishop shall -
  - (a) have the right to sit, speak and vote as a member of the House of Bishops in the Church of Nigeria;
  - (b) have the right to be summoned to meetings of the Episcopal Synod, and shall be entitled to speak but not to vote at such a meeting.

EPISCOPAL  
DUTIES OF A  
SUFFRAGAN  
BISHOP

4. A Suffragan Bishop shall hold the Commission of the Primate of the Church of Nigeria and shall use his Episcopal powers and exercise such authority and oversight for any work within the limits of the Diocese as from time to time may be determined for him and assigned to him by the Bishop of the Diocese, or during the vacancy of the See by the Primate. But if the Diocesan Bishop shall not assign any such duties or authority, the Suffragan Bishop shall have the right to appeal to the Primate and to the Bishops of the Church of Nigeria, who shall hear and determine the matter, provided always that the withdrawing of the Commission of a Suffragan Bishop by the Primate at the request of the Diocesan Bishop shall not become effective

until the Episcopal Synod is satisfied that he will be adequately provided for in some other way.

## **CANON VII**

### **Of Consecration and Enthronement of Bishops**

- |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CONSECRATION &<br>ENTHRONEMENT | 1. At the earliest convenient time, after the confirmation of the election of a Bishop of the Church of Nigeria, the Primate shall proceed to consecrate and enthrone the person so elected and confirmed.                                                                                                                                                                                                                                                                                                                                                            |
| BISHOP-ELECT                   | 2. Every Bishop-Elect shall, before his consecration, subscribe to the declaration set out in the Canon of Declarations and Subscriptions.                                                                                                                                                                                                                                                                                                                                                                                                                            |
| ENTHRONEMENT                   | 3. (1) The Bishops of the Church of Nigeria shall be enthroned after the manner of enthronement of a Bishop authorised in the Church of Nigeria.<br><br>(2) After the consecration or translation of a Diocesan Bishop, the Primate shall issue a Mandate for his enthronement to the Dean, or Provost, a Chapter of the Cathedral Church, where such body is duly constituted, or otherwise to the Senior Priest of the Diocese.<br><br>(3) The Bishop shall thereafter be enthroned after a manner of enthronement of a Bishop authorised in the Church of Nigeria. |
| CONSECRATION                   | 4. The Primate and two other Bishops or, if the Primate be unable to act, the Dean of the Church of Nigeria and two other Bishops, shall be required for a consecration: provided that with the concurrence of the Church of Nigeria Standing Committee, the Consecration of a Bishop for the Church of Nigeria may take place in any other Province in                                                                                                                                                                                                               |

communion with the Church of Nigeria and be conducted by the Metropolitan of that Province.

CUSTODY OF  
RECORDS

5. After the consecration of any Bishop of the Church of Nigeria whether he has been consecrated in Nigeria or elsewhere, it shall be necessary that the Certificate of Election and all records connected with such consecration be deposited in the archives of the Church of Nigeria: and it shall be the duty of the Registrar of the Church of Nigeria to require the production of all such papers before enthronement. The record of enthronement shall be added thereafter.

CANON VIII

Of Bishop's Veto in the Synod of his Diocese

BISHOPS VETO

1. The Bishop of a Diocese may veto any resolution of the Synod of his Diocese which he considers to be detrimental to the interest of the Church.

EPISCOPAL SYNOD

2. If the Bishop dissents from any resolution of a two-thirds majority of the Synod of his Diocese, a vote by Orders shall be taken, and if the Bishop, as representing his Order" after having expressed his intention of exercising his veto, shall then negate the decision of a two-thirds majority of the Clergy and Laity then present in Synod" the Dean or Provost, or the Senior Priest or any other member of the Synod present (if thereto empowered by resolution of the aforesaid Clergy and Laity) may appeal against the Bishop's decision to the Primate (or Dean of the Church of Nigeria) and Bishops of the Church of Nigeria who shall hear and determine the matter in the Episcopal Synod. And if the Episcopal Synod shall override the Bishop's veto, the said Bishop shall promulgate the resolution in his Diocese within seven days and it shall have the same force and effect from and after

that date as if it had been promulgated by the Diocesan Synod.

**CANON IX**  
**Of the Residence of Bishop**

RESIDENCE OF  
BISHOPS

1. Every Bishop appointed to the charge of a Diocese shall reside within his Diocese unless, upon the ground of ill-health or other important consideration" it should for a time be inadvisable for him to so do and of such exceptional circumstances as the Primate shall decide.

CONSENT FOR  
ABSENCE

2. No Diocesan Bishop shall be absent from his Diocese continuously for more than eight weeks without the consent of the Primate, nor an Archbishop from his Province continuously for more than eight weeks without notifying the Primate who shall inform the other Bishops.

PROVISIONS DURING ABSENCE

3. No Diocesan Bishop shall absent himself from his Diocese for more than eight weeks without appointing under his hand and seal a Vicar-General with authority to administer the spiritualities of the Diocese, and to maintain discipline according to the Constitution of the Church of Nigeria. If any Bishop shall be absent from his Diocese for more than six months, he shall be bound to make due provision for Confirmations and Ordinations within his Diocese.

ABSENCE  
WITHOUT  
CONSENT

4. In the event of any Diocesan Bishop being absent from his Diocese for more than eight weeks without the consent required by this Canon, it shall be competent for the Primate to give him three months' notice, in writing, to return to his Diocese: and should the notice be disregarded, the Primate may, with the consent of the majority of the Bishops of the Church of Nigeria, declare the See vacant.

ABSENCE OF  
PRIMATE

5. The functions of the Primate in the preceding section shall, in the event of the Primate coming under the operation of its provisions, be exercised by the Dean of the Church of Nigeria.

**CANON X**  
**Of Resignation and Retirement of Bishops**

RESIGNATION  
OF BISHOP

1. If a Bishop desires to resign his See, he shall send his letter of resignation to the Primate (or, if he himself be the Primate, to the Dean of the Church of Nigeria). The Primate (or, in the case of the resignation of the Primate, the Dean of the Church of Nigeria) in consultation with the Bishops of the Church of Nigeria, shall judge whether the resignation should be accepted or not.

COMPULSORY RETIREMENT

2. Any Bishop of the Church of Nigeria may, upon representation made to the Primate by at least two Bishops of the Church of Nigeria be asked, or if necessary required to resign his See. He shall be given the fullest opportunity to defend himself and his defence shall be given careful consideration. If the Primate in consultation with the other Bishops of the Church of Nigeria decides that the Bishop is unable adequately to discharge the duties of his office, he shall be required to retire.

PENSIONS FOR BISHOPS

3. It shall be the duty of the Diocese to see that satisfactory provision is made for the pension of the Bishop on his retirement.

RETIREMENT ON  
GROUNDS OF AGE

4. Every Bishop of the Church of Nigeria shall be deemed to retire from office on attaining the age of seventy years.

VOLUNTARY RETIREMENT

5. A Bishop may, with the appropriate notice to the Primate retire before he attains the age of seventy years:

Provided that an outgoing Bishop under this section shall give at least six months notice of his intention to leave office.

NOTICE OF  
RETIREMENT

6. It shall be the duty of the retiring Bishop to give to the Primate and the Diocesan Board of his Diocese at least six months' notice of his retirement.

COMPULSORY RETIREMENT OF  
THE PRIMATE

7. In the event of the Primate coming under the provisions of Clause 2 of this Canon, his functions shall be exercised by the Dean of the Church of Nigeria.

**CANON XI**

**Of Administration of Vacant Bishoprics**

PRO TEMPORE  
ADMINISTRATION

1. Where any See of the Church of Nigeria (Anglican Communion) becomes vacant by reason of the death, retirement or translation of a Bishop, or other sufficient cause, the spiritual care and governance thereof shall devolve upon the Primate who, after consultation with the Archbishop of the province concerned, may appoint-

- (a) a supervisory Bishop; or
- (b) a Vicar General,

to act for the time being until the See be again canonically filled, defining in writing the duties which the appointee shall perform.

TENURE

2. (1) The tenure of the appointee to administer a vacant See shall not exceed three months unless the appointment is renewed in writing by the Primate.
- (2) The Primate may determine the appointment of the administrator pro tempore, and appoint another in his place. He may also redefine, alter or add to the duties of the administrator.

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SUPERVISORY  
BISHOP

3. (1) Any Bishop of the Church of Nigeria may be appointed by the Primate to supervise a vacant See in addition to his duties within his own Diocese, and he shall be designated as the Supervisory Bishop of the vacant See in addition to being the Bishop of his own Diocese. ASS  
DIO
- (2) A Supervisory Bishop shall administer the vacant See separately from his own Diocese. REN  
FOI
- (3) A Supervisory Bishop shall perform all the duties of a Bishop in the vacant See.
- (4) A Supervisory Bishop shall be entitled to reimbursement for all his out of pocket expenses in the vacant See as may be approved by the Primate.
- (5) A Supervisory Bishop shall not embark on any new capital project in the See without the approval of the Diocesan Board and the Primate. RE  
OF  
CG  
RE

VICAR GENERAL

4. (1) The Primate may appoint any priest of the Church of Nigeria (Anglican Communion), with not less than fifteen years post ordination experience, to be a Vicar General of a vacant See. PE  
RC
- (2) A Vicar General shall oversee the day-to-day administration of the vacant See, but shall not otherwise perform the duties of a Bishop. RE  
G  
V  
R

ASSETS OF THE  
DIOCESE

5. The revenue of a vacant Bishopric, and all church funds administered by the Bishop shall, during the vacancy of the See, be received and administered by the Diocesan Finance Board (or such other body as the Primate may appoint), which shall duly account for the same to the next succeeding Bishop, within three months from the date of the enthronement.

REMUNERATION  
FOR EXPENSES

6. The body administering the temporalities of a vacant See shall appoint out of the said temporalities such a sum as it shall see fit to remunerate the Primate and the Vicar-General for the expenses incurred by them and shall pay the residue to the next succeeding Bishop.

**CANON XII**

**Of Resignation and Retirement of Clergy**

RESIGNATION  
OF CLERGY

1. If a Clergy desires to resign, he shall send his letter of resignation to the Bishop who shall judge whether the resignation should be accepted or not.

COMPULSORY  
RETIREMENTS

2. Any Clergy of the Church of Nigeria may be asked or if necessary be required to resign his office. He shall be given the fullest opportunity to defend himself and his defence shall be given careful consideration.

PENSIONS  
FOR CLERGY

3. It shall be the duty of the Diocese to see that satisfactory provision is made for the pension of every Clergy on his retirement.

RETIREMENT ON  
GROUND OF AGE

4. A Clergy of the Church of Nigeria shall retire from office on attaining the age of seventy years.

VOLUNTARY  
RETIREMENT

5. A Clergy may, with the appropriate notice to the Bishop voluntarily retire when he attains the age of sixty-five years.

NOTICE OF  
RETIREMENT

6. It shall be the duty of the retiring Clergy to give to the Diocesan Bishop and the Diocesan Board at least six months' notice of his intention to retire.

**CANON XIII**  
**Of Episcopal Synod**

MEMBERS

1. The Episcopal Synod shall be composed of all the serving Bishops, Assistant Bishops, Suffragan Bishops and Retired Bishops of the Church of Nigeria (Anglican Communion).

VOTING RIGHT

2. Only serving Bishops of the Church of Nigeria shall have power to vote at meetings of the Episcopal Synod.

AUTHORITY

3. The Episcopal Synod shall have final authority in those matters which, as stated in the Fundamental Declarations of the Church of Nigeria, are the special responsibility of the Order of Bishops: provided that in a question of Faith or Order, if there is not unanimity, any Bishop may require that opinions be sought in the matter from other Metropolitans of the Anglican Communion.

FUNCTIONS

4. The Episcopal Synod shall discuss such matters as the Primate or any Diocesan Bishop of the Church of Nigeria wishes to bring before it, and the Episcopal Synod shall have the right to bring before the General Synod such things touching upon worship and uniformity in the form of worship.

MEETINGS

5. The Episcopal Synod shall meet whenever so required by this Constitution, and at such other times as the Primate shall think fit. The place and time of meeting shall be determined by the Primate; provided that the Primate shall summon the Episcopal Synod to meet if at any time requested so to do by three or more Diocesan Bishops.

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REPRESENTATION

4. Every Diocese of the Church of Nigeria shall be entitled to be represented in the General Synod by two Clerical and three Lay Representatives. The Lay representatives shall include the Chancellor and at least one woman.

PRESIDENT

5. The Primate is, by virtue of his office, the President of the General Synod; in the case of a vacancy in his office, or in the unavoidable absence of the Primate, the Dean of the Church of Nigeria (or, in his absence, the Archbishop Senior by presentation as Archbishop who is present) shall preside.

ELECTION OF  
REPRESENTATIVES

6. The Clerical and Lay Representatives of a Diocese shall be elected in such a manner, and according to such rules, as the Diocesan Synod may make in that behalf. Representation of Dioceses at the General Synod may be reviewed from time to time by the General Synod or by the Standing Committee in between Synods.

FILLING VACANCIES

7. In each Diocese, the Diocesan Synod shall make rules to provide for the filling of vacancies in the Clerical and Lay Representation of the Diocese which may occur through death, resignation, loss of qualification, or any other good cause, between the time of the election or appointment and the subsequent meeting of the General Synod.

HOUSE OF BISHOPS

8. The House of Bishops shall consist of such Bishops as are, at the time of the meeting of the General Synod, Diocesan Bishops, Suffragan Bishops, Assistant Bishops and retired Bishops.

said enactment, together with such other of its proceedings as the Synod shall have ordered to be published, to be carefully printed or cyclostyled for the general use of the Church, and the said Committee shall transmit to each Bishop a copy of the regulations and proceedings so printed for the information of the Diocesan Synod: and each Bishop shall notify in such manner as he shall see fit, to all the congregations in his Diocese, the alterations that have been made in the provisions of the Constitution and Canons of the Church of Nigeria.

COMMITTEE OF REFERENCE

20. At the commencement of every session of the General Synod there shall be set up from its members a Committee of Reference to which the Primate, the General Synod or the Standing Committee may submit for its advice any proposed amendments to the Constitution of the Church of Nigeria or any Diocesan Constitution, other proposed enactment of the General Synod, or any other matter, which the Committee of Reference has constituted by the General Synod may, from time to time, recommend.

CANON XV

*Of Proceedings in the Standing Committee*

MEETINGS

1. The Primate (or, in his absence, the Dean of the Church of Nigeria) shall summon meetings of the Standing Committee of the Synod at such time and place as he may appoint.

ELECTION OF PANEL TO FILL  
VACANCIES

2. When members of the Committee have been elected, the Clerical representatives on the General Synod of each Diocese of the Church shall elect one of their number, and the Lay Representatives on the General Synod of each Diocese of the Church shall

elect one of their number to form a panel from which the Primate shall be entitled to draw such persons as may be required to fill vacancies which may occur in the membership of the Committee through death, resignation or any other cause.

VOTING BY HOUSES

3. At the request of any member of the aforesaid Committee voting upon a motion before the Committee shall be by Houses

QUORUM

4. The Quorum for the meeting of the Standing Committee of the General Synod at which the Primate or Dean shall be present shall be one-third of its members.

**CANON XVI**  
**Of Ecclesiastical Discipline**

OFFENCES

1. The following are the charges or accusations on which the Primate, a Provincial Archbishop, a Bishop, a Priest or a Deacon in the Church of Nigeria (Anglican Communion) may be presented for trial:
  - (a) A conviction by a court of competent jurisdiction for felony or other allied offences;
  - (b) "Sexual immorality" the words "includes" but is not limited to homosexuality, lesbianism, bi-sexuality, paedophilia, adultery, fornication, rape and other sexually abhorrent behaviour;
  - (c) Conduct giving just cause for scandal or offence;
  - (d) Heresy or false doctrine;
  - (e) Schism, or acceptance of membership in a

religious body not in communion with the Church of Nigeria (Anglican Communion);

- (f) Apostasy from the Christian Faith;
- (g) Violation of any provision of the Constitution of the Church of Nigeria or of a Diocese;
- (h) Disobedience, which is to say, wilful contravention of the Regulations either of the General Synod, or of the Diocesan Synod of the Diocese in which he holds office;
- (i) Neglect of the duties of his Office;
- (j) Being a member of a secret society or cult, and failure or refusal to renounce membership of the same when required to do so.

LIMITATION TO  
THREE YEARS

2. No original proceedings shall be instituted before any Tribunal of the Church of Nigeria if more than three years have elapsed since the date of the alleged offence, except leave be given for a further extension of time by the Primate under his hand and seal: or except the proceedings are grounded upon a finding of a civil or Criminal court, in which case such limitation shall not apply if such proceedings are commenced within six calendar months of such findings having been pronounced.

HOW CHARGES  
ARE TO BE LAID

3. All charges shall be made in a document signed by the presenters, wherein shall be specified all particulars of time, place, and circumstances alleged by them, intimation being made of the name and address of some person, to whom all necessary communications in the cause shall be made as the agent of the presenters.

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|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CHALLENGE                       | 9. The accused shall have the right to challenge any two of the Assessors nominated to sit at his trial, and the place of the Assessors so challenged, if the challenge be upheld, shall be filled by the appointment of others by the President of the Tribunal, which appointment shall be final.                                                                                                                                                                                            |
| JUDGEMENT                       | 10. The Tribunal shall be bound to consider, but not necessarily to accept the opinions of the Assessors before pronouncing judgment.                                                                                                                                                                                                                                                                                                                                                          |
| COUNSEL                         | 11. The accused shall be entitled to have the aid of counsel or an agent and may submit his defence in writing. The presenters also may be aided by counsel, and be represented by any agent they may appoint (being a Communicant member).                                                                                                                                                                                                                                                    |
| CONDITION OF TESTIMONY          | 12. No testimony shall be received at the trial except from witnesses who shall before giving their evidence, make an affirmative answer to the following question -<br><br>"Do you promise, in the presence of Almighty God, that you will speak the whole truth, whether in the declaration which you shall make, or in the answer which you are about to give?"                                                                                                                             |
| TESTIMONY BEFORE A COMMISSIONER | 13. If it be necessary to take the testimony of an absent witness, or witnesses, such testimony shall be taken, in the form and manner above provided, by a Commissioner or Commissioners to be appointed for that purpose, and the evidence shall be reduced to writing and forwarded to the court, which evidence shall be read and used at the trial; provided, however, that no application for the appointment of such Commissioner or Commissioners shall be made by either party to the |

REVIEW

18. Whenever a sentence has been passed by any Tribunal of the Church, it shall be competent for the Primate or Bishop (as the case may be) within thirty days after sentence is passed, to direct that the case shall be reviewed or reheard, if it shall appear to him that there are cogent reasons for believing that the sentence was founded on some error, either as to the facts of the case or as to the law of the church, so that justice has not been done to the accused.

NO APPEARANCE OR WRITTEN  
DEFENCE

19. If the accused does not appear after citation as hereinbefore provided and no sufficient reason in the opinion of the Tribunal is assigned for this absence, or if he shall send in a written defence, the Tribunal shall proceed with the trial and give such judgement as the case may require, unless the President of the Tribunal see fit to order a second citation to be issued.

CONTUMACY AND  
ITS PENALTIES

20. Any person against whom judgement has been given who shall refuse to obey the sentence of any Tribunal of the Church, shall, if not sentenced to suspension or deprivation, be excommunicated, unless, for reasons which must be notified in open court, the Primate or Bishop (as the case may be) shall decide that it is undesirable to proceed to extreme measure of excommunication. It shall be the duty of the Primate or Bishop (as the case may be) after due notice to pronounce the sentence of excommunication.

RECORD TO BE  
PRESERVED IN  
REGISTRY

21. Every Tribunal of the Church of Nigeria shall keep a full record of its proceedings, including the Articles of Presentment, with the names of the presenters and the accused, the evidence, the opinions of the clerical or lay Assessors, and the judgement of the Judge or Judges. The record shall be preserved in the Registry of the Tribunal.

TRIAL OF BISHOPS

22. A Bishop of the Church shall, where charges are brought against him be tried by a court consisting of the Primate and the Bishops of the Church of Nigeria. The Primate shall preside. The Bishops except the accused, shall be summoned by the Primate to the hearing of the charge; but no trial shall take place unless there be present at least six Bishops, including the Primate, but excluding the accused.

TRIAL OF PRIMATE

23. Should the Primate be the accused, the Dean of the Church of Nigeria shall preside and the sentence of the court shall be signed by him and at least three other Bishops: Provided that no trial of the Primate shall take place unless there be present at least four Bishops, including the Dean of the Church of Nigeria but excluding the accused.

HOW CHARGES ARE TO BE MADE

24. No charge shall be received against a Bishop of the Church unless it be preferred, if it relates to a matter of Faith and Doctrine, by at least five Priests of the Diocese, or by a Bishop of the Church or, if it relates to other matters, by at least three Priests of the Diocese and also three Lay Representatives in the Synod of the Diocese of the accused Bishop.

ACCUSATION

25. In the case of an accusation against a Bishop, the Articles of Presentment shall be delivered to the Primate, except he be the accused in which case they shall be delivered to the Dean of the Church of Nigeria.

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|--------------------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MANNER OF SERVING CHARGE | 26. | The Primate (or if the Primate is the accused, the Dean of the Church) shall, at the earliest moment after receipt of the Articles of Presentment transmit a copy of the same to the accused, and to each of the other Bishops of the Church. All intimations and citations shall be deemed to be duly served by a copy thereof being forwarded by registered post to the residential address of the accused. |
| TERM OF TRIAL            | 27. | The trial shall take place within four months of the receipt of the Articles of Presentment by the Primate or the Dean of the Church (as the case may be) unless, owing to the difficulty of communication, it appears to him necessary to postpone it to a latter day: but in no case shall it be postponed beyond a year.                                                                                   |
| CLERICAL ASSESSORS       | 28. | In the trial of a Bishop, the President shall appoint three Clerical Assessors, each Assessor being a Dean, Provost, Archdeacon or Canon of some Cathedral Church in the Church of Nigeria; and he shall, except on charges of heresy, also appoint one or two persons as Lay Assessor or Assessors.                                                                                                          |
| DEFENCE                  | 29. | In the trial of a Bishop, the accused may, if he sees fit, submit his defence in writing.                                                                                                                                                                                                                                                                                                                     |
| SENTENCE                 | 30. | In the trial of a Bishop the sentence, if the accused be found guilty, shall be either admonition, censure, suspension, or deprivation, and in addition to any of these, the court may pass a sentence of excommunication, as the offence or offences adjudged to have been proved shall seem to deserve, due regard being paid to provisions relating to Judicial Sentences.                                 |

authenticated and forwarded by the President to the Bishop who shall accept the same and pass such sentence thereon as the Canons of the Church shall direct.

HOW CHARGES  
ARE TO BE LAID

35. Any charge against a Priest or a Deacon of the Church must proceed from a Priest of the Church or from the Church-wardens of the Parish in which he is serving, or from three or more communicant members. The Bishop may also himself, if he shall see fit, order proceedings to be commenced against any Clergyman whose conduct he believes to have just cause for scandal or offence, and in such a case it shall be sufficient for one Presenter appointed by the Bishop to deliver the Articles of Presentment.

BISHOP MAY  
VETO PROCEEDINGS

36. The Articles of Presentment shall be laid before the Bishop who shall decide, in the first instance, whether they are proper to be admitted or not. If the Bishop shall refuse either to institute an enquiry, or to proceed to try the accused, he shall intimate his refusal to the presenters in writing within thirty days after the receipt of the Articles of Presentment; and in such case it shall be competent for the presenters to apply to the Primate; or, if the Primate be the Bishop who refuses, to the Episcopal Synod through the Dean of the Church of Nigeria; and if the Primate or the Episcopal Synod think fit, he or they may require the Bishop to proceed: provided always that notice of intention to apply shall have been given in writing to the Bishop of the Diocese within twenty-one days after his refusal to act and that the application together with a copy of the Articles of Presentment, shall have been forwarded to the Primate or Dean of the Church of Nigeria within thirty days after receipt of the Bishop's refusal.

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MANNER OF  
SERVING THE  
CHARGE

37. Notice of the intention to start proceedings, containing a statement of the charge and a copy of the information of which it is founded, shall be served upon the person accused, together with the names of those chosen to be assessors, thirty days at least before the hearing of the case.

SUSPENSION  
PENDING TRIAL

38. Any Priest or Deacon within the Church of Nigeria if accused of immoral conduct, may be suspended from the exercise of ministerial duties by the Bishop should it appear to the Bishop to be necessary for the prevention of scandal: provided that a trial on the charge alleged shall take place as soon as possible.

LICENSED PRIEST  
OR DEACON MAY  
CLAIM TRIAL IN  
BISHOP'S COURT

39. Any Priest or Deacon holding the licence of a Bishop may, if he so desires, have any charges which may be brought against him tried by the Bishop's Court; and, if such charge be proved, the Bishop shall determine what sentence shall be sufficient, and there shall be no appeal if the sentence proceeds no further than the withdrawal of the licence.

APPEAL TO  
CHURCH OF  
NIGERIA  
TRIBUNAL

40. If any Priest or Deacon against whom a judgement or sentence shall have been pronounced by any Bishop's court shall feel aggrieved by such judgement or sentence, it shall be lawful for such person (except in such cases as are otherwise provided for in these Canons), to appeal to the Church of Nigeria Tribunal of Appeal: provided such appeal be notified in writing by the Appellant to the Bishop of the Diocese within thirty days after such judgement or sentence shall have been pronounced.

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OF CHURCH  
OF NIGERIA  
TRIBUNAL OF  
APPEALS

41. The Church of Nigeria Tribunal of Appeal (except as provided below) shall be the Episcopal Synod, and the Primate (or if he is absent the Bishop acting under his commission) shall preside in this Tribunal. If the appeal is from the judgement or sentence of the court of the Primate himself, the Dean of the Church of Nigeria shall preside. The Primate, or the Dean as the case may be shall before the assembling of the Tribunal, nominate three Clerical Assessors, and he shall, except in charges of heresy, also appoint one or two persons as Lay Assessors as provided in these Canons.

PRIMATE MAY  
HEAR CERTAIN  
APPEALS

42. In all cases not involving questions of Faith or Doctrine, except the appeal be from a judgement or sentence of the Court of the Primate himself, it shall be sufficient for the Primate along with Clerical and Lay Assessors (as provided above) to hear and decide the appeal unless the Primate himself judges it expedient to convene the meeting of the Episcopal Synod, or unless two Bishops of the Church shall request him to convene the meeting of the Episcopal Synod to hear and decide the appeal.

WHEN JUDGES  
DISAGREE

43. If the judgement or sentence of a Bishop's Court in question of Faith and Doctrine fail to be affirmed on appeal by reason of only two Bishops being present at the meeting of the Episcopal Synod and not agreeing as to the judgement or sentence, it shall be competent for the presenters, with the consent of the Bishop of the Diocese, to bring the case again before the Episcopal Synod, at its next meeting, on giving the notice required for appeals.

NO APPEAL  
ON FACT

44. There shall be no appeal to the Church of Nigeria Tribunal of Appeal as regards the facts of any case, but only as to the Conclusion to be drawn from those facts which the Bishop's Court shall determine to be proved. But it shall be competent for the Primate, on receiving the case on appeal, to direct that the case, as regards the facts that are charged, shall be reviewed by the Bishop's Court.

NO APPEAL  
WITHOUT LEAVE  
IN MINOR CASES

45. There shall be no appeal from a judgement or sentence for any offence for which no higher sentence than suspension for three months can be pronounced, except it be allowed by the Bishop's Court or directed by the Primate.

SUSPENSION OF  
SENTENCE

46. In case of an appeal to the Church of Nigeria Tribunal of Appeal sentence shall be suspended during the appeal, except in case of a sentence for immoral conduct or heresy.

POWERS OF  
PROVINCIAL  
TRIBUNAL

47. The Church of Nigeria Tribunal of Appeal may affirm, modify, or amend the judgement or sentence appealed against, or pass any other judgement or sentence in the case, as it thinks just.

CONDITIONS  
OF APPEAL  
GROUNDS

48. Every appellant from a judgement or sentence of a Bishop's Court must within thirty days after the date of the judgement or sentence as the case may be, lodge with the Registrar of the court his grounds of appeal supported with reason and must give a bond, to be approved by the said Registrar to defray all necessary charges in prosecuting the appeal, and such costs as may be judged by the Court or Tribunal of Appeal.

JUDICIAL SENTENCE

49. Any Priest or Deacon, found guilty after due trial, shall be subject to any of the following sentences:

FOR FALSE  
TEACHING

(a) For publicly and advisedly maintaining doctrines or opinions contrary to the teaching of the Church, unless he shall formally retract the same within fifteen days after a sentence is given,

(i) inhibition from preaching or suspension for a term not exceeding three years: provided that if at the expiration of any such sentence he shall refuse to abjure such doctrines or opinions, he shall thereupon be deprived; or

(ii) deprivation,

FOR WILFUL  
NEGLECT IN  
CONDUCT OF  
SERVICE

(b) For refusing or wilfully neglecting to use in public prayer and administration of the Sacraments and other Holy Offices the forms authorised under the fundamental principles of this constitution: formal admonition or suspension for a term not exceeding twelve months; and further, Until he shall have given an undertaking to conform in future.

FOR REFUSAL  
OF DUTY

(c) For refusing, without good and sufficient reason, to perform for any member of the Church, belonging to his cure and not Under the Censure of the Church, any act appertaining to the ministerial office, formal admonition or suspension for a term not exceeding three months; and further, Until he shall have given an Undertaking to Conform in future.

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- |                           |                                                                                                                                                                                                                                                                                                                                  |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FOR NEGLECT<br>OF DUTY    | (d) For general neglect of duty, formal admonition by the Bishop or suspension for a term not exceeding twelve months; in addition he shall give an undertaking to conform in future.                                                                                                                                            |
| FOR IMMORALITY            | (e) For immoral conduct, suspension for a term not exceeding twelve months, or deprivation.                                                                                                                                                                                                                                      |
| FOR UNBECOMING<br>CONDUCT | (f) For scandalous conduct or offence unbecoming of a Clergyman, formal admonition or suspension for a term not exceeding six months; and in addition he shall have given undertaking to Conform in future.                                                                                                                      |
| FOR<br>DISOBEDIENCE       | (g) For wilful contravention of any enactment of the General Synod or of the Diocesan Synod (in matters not otherwise provided for), or for refusal to obey lawful command of his Ordinary, formal admonition or suspension for a term not exceeding six months; in addition, he shall give an undertaking to conform in future. |
| SPECIAL<br>SENTENCE       | (h) In addition to any of the above sentences, the Bishop may suspend the accused from receiving Holy Communion for such a period as he may determine.                                                                                                                                                                           |
| HERESY, SCHISM<br>ETC.    | (i) In case of Heresy, Schism, acceptance of membership in a religious body not in communion with the Church of Nigeria, Apostasy a sentence of excommunication or deposition may be passed unless in the meantime the accused has publicly abjured, in which case a lesser sentence may be imposed.                             |

- (d) schism or acceptance of membership in a religious body not in communion with the Church of Nigeria (Anglican Communion);
- (e) apostasy from Christian faith;
- (f) violation of the Constitution, Canons and Resolutions of the General Synod of the Church of Nigeria (Anglican Communion) or of the Constitution of any Diocese or acts calculated to subvert either or both Constitutions;
- (g) refusal or failure to obey a directive given by the General Synod through the Primate or the Diocesan Bishop pursuant to powers conferred by virtue of the relevant provisions of the Constitution of the Church of Nigeria; and
- (h) being a member of a secret society or cult, and failure or refusal to renounce membership of the same when required to do so by a Bishop.

INVESTIGATION

- 2. (1) If a member of the Church is accused of an ecclesiastical offence, the complaint shall in the first instance be investigated by a Church Committee appointed by the Parish Council from outside its membership and the findings of such Committee shall be submitted in writing to the Vicar.
- (2) The Vicar shall review the case and if he considers the offence to have been committed, shall submit his recommendation in writing to the Bishop through his Archdeacon within one month of the submission of the case to him.

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BISHOP

3. The Bishop, after such consultation as he may deem necessary, shall decide whether the alleged offender shall be subjected to any punishment and shall notify the Vicar and the Church Committee through the Archdeacon of his decision in writing before the lapse of two months from the receipt by him of the recommendation of the submission by the Vicar.

PUNISHMENT

4. The punishment which the Bishop may administer to any member found guilty of an ecclesiastical offence shall be any of the following:

- (a) ex-communication;
- (b) removal from any office held in the Church or Diocese;
- (c) disqualification from partaking of the Holy Communion, or being nominated to Diocesan office, the Parish Church Council, or any office in the Church or in any Church Society either indefinitely or for such period as the Bishop shall think fit;
- (d) if the offender be a Lay Reader, Catechist, Warden, Sides man, member of the Parish Church Council or Diocese, suspension from office either indefinitely or for such period as the Bishop shall think fit.

DIOCESAN BOARD  
MEMBER

5. If any member of the Diocesan Board is alleged to have committed an ecclesiastical offence in relation to his duties as a Diocesan official, the Diocesan Bishop shall set up a committee which shall investigate the allegation against him and submit a report and recommendation to the Bishop. If the Bishop is satisfied that the allegation has been proved, the Bishop may impose any punishment prescribed in this Canon.

REFERENCE BY  
BISHOP

6. The Bishop may, at any time on his own initiative, if he has reasonable cause to believe that any offence specified herein may have been committed by any person, refer the matter to the Priest in charge of the Parish Church to which he belongs or at which he worships regularly or to a Committee of the Diocesan Board appointed by the Bishop. Thereafter, the provisions of Clauses 2, 3, 4 and 5 of this Canon shall apply.

STANDING  
COMMITTEE MEMBER

7. Where any member of the Standing Committee of the Church is accused of an offence under Clause 1(g) above, the Standing Committee shall set up a Committee not exceeding three in number which shall investigate the allegation against him and submit a recommendation to the Primate who shall, if satisfied that the offence has been committed, impose any punishment prescribed in Clause 4 hereof.

APPEALS

8. (1) All appeals and correspondence as appropriate, shall be channelled through the Vicar, the Archdeacon, the Bishop, or the Provincial Archbishop to the Primate.
- (2) The decision of the Primate shall be final.

**CANON XVIII**  
**Of Services of the Church**

SERVICES OF THE  
CHURCH: POWER  
TO MAKE SERVICES  
ADAPTATIONS

1. The Episcopal Synod shall have power to make such adaptations and abridgements of, and addition to, the Services of the Church as may be required from time to time.

DIOCESAN SERVICES

2. It shall not be permissible for a Diocesan Bishop to authorize for use in his Diocese any alterations in a Service approved by the Episcopal Synod unless the Episcopal Synod, or a body authorised by it for the purpose, has approved the alteration as suitable in itself, as being required by the conditions of the

Diocese and as not introducing any difference of substance. He shall not authorize for use in his Diocese any Liturgical Services or Occasional Offices or any adaptations, abridgements or additions in such Services unless the Episcopal Synod or a body authorised by it for the purpose, has approved the Services or alteration. The Diocesan Bishop shall, subject to the Constitution of the Church of Nigeria, have freedom to authorise services for special occasions in his Diocese, and for occasions not otherwise provided for.

TEMPORARY  
EXPERIMENT

3. Notwithstanding the regulations contained in the foregoing Clause, it shall be permissible for a Diocesan Bishop after consultation with the House of Clergy and his Diocesan Synod and with the approval of the Episcopal Synod, to authorise for a period not exceeding two years such experimental adaptations, abridgements, or additions to any Liturgical Services or Occasional Offices as he may think fit: provided that such experimental adaptations, abridgements, or additions shall not continue to be authorised beyond the said period of two years without the approval of the Episcopal Synod or a body authorised by it for the purpose.

#### CANON XIX

##### Of Declarations and Subscriptions

DECLARATION  
OF SUBMISSION

1. No one shall be admitted to any office in the Church of Nigeria (Anglican Communion), nor shall he be entitled to receive any income, emoluments or benefit from or out of any property held under the authority of the General Synod, unless he shall have signed a declaration, according to the form, if any, prescribed by the General Synod, of submission to the regulations of the Church of Nigeria relating to such office: provided that the General Synod may dispense with this requirement in the case of particular officers.

DECLARATION BY  
OF-ELECT  
DECLARATION  
LENGY

2. The following Declarations shall be made and subscribed before the Primate, or some person duly appointed by him, by all Bishops-Elect of the Church of Nigeria, and before the Bishop by persons to be admitted to Holy Orders, and by all Priests and Deacons to be admitted to any office in the Church of Nigeria (Anglican Communion):

(i) **The Declaration of Belief**

I..... now to be ordained Deacon/Priest/Bishop do so affirm, and accordingly declare my belief in the truth which is revealed in the Holy Scriptures and set forth in the Catholic Creed and to which the historic formularies of the Church of Nigeria bear witness: and in public prayer and administration of the Sacraments. I will use only the forms of service which are authorised or allowed by Canons.

(ii) **The Declaration of Submission to Synod**

I do also declare that I consent to be bound by the regulations of the Diocese/Church of Nigeria and Canons which have been made, or which may hereafter be made by the Diocesan/Church of Nigeria Synod or may otherwise have lawful effect in the Diocese/Church of Nigeria.

(iii) **The Oath of Canonical Obedience**

(The Deacons/Priests/Bishop holding the Bible in uplifted right hand will say):

.....do swear by Almighty God that I will pay true and canonical obedience to the Bishop of..... Diocese/Primate of the Church of Nigeria and his successors in all things lawful and honest.

(iv) **The Oath of Submission**

And I hereby undertake to accept and immediately submit to any sentence depriving me of any or all the rights and emoluments appertaining to the office of Deacon/Priest/Bishop, which may at any time be passed upon me after due examination by the Bishop/Primate acting under the Constitution of the Diocese/Church of Nigeria.

I agree to exercise the said office of Deacon/Priest/Bishop so long as may be required of me by the Bishop of ..... Diocese/Primate and his successors acting under the Constitution. So help me God. Amen. (The Deacons/Priests/Bishops touch their forehead with the Bible).

ADMISSION OF  
FOREIGN  
CLERGY MAN

3. No person ordained by a foreign Bishop, or by a Bishop not in communion with this Church shall be permitted to officiate as a Minister of this Church until he shall have complied with the Canon or Canons in that case provided and also shall have subscribed the aforesaid declaration.

OATH OF  
ALLEGIANCE TO  
GOD AND  
RENOUNCIATION  
OF SECRET  
SOCIETY OR  
CULT

4. No person shall be admitted to any office in the Church of Nigeria unless he subscribes to the following declarations before the Primate or the Bishop of a Diocese, when required so to do, renouncing or denouncing membership of secret cults or societies as defined in this Canon -

**The Oath of Allegiance to God**

I ....., confess before God and His Church that I have never been a member of any Secret Cult, I also vow that I will never join any Secret Cult; and I owe allegiance to no other but to the Lord Jesus Christ; and that my loyalty to Him will always be absolute, total and

- (vii) which has been declared to be a secret society or cult under any existing law in Nigeria; and/or
- (viii) which the Primate with the approval of General Synod has declared to be a secret society or cult.

## **CANON XX**

### **Of Marriage**

#### **MARRIAGE**

1. The Church believes that Marriage, by Divine institution is a lifelong and exclusive union and partnership between one man and one woman. Its law and regulations are based upon this belief.

#### **OF THE RITES OF THE CHURCH**

2.
  - (1) Solemnization of Holy Matrimony by the Rites of the Church is reserved to those who are baptized unless in the case of a marriage proposed between a baptized person and an unbaptized person, a dispensation be granted by the Bishop.
  - (2) If such a dispensation is to be granted, the Bishop must first be satisfied:
    - (a) that both parties to the proposed marriage recognise that the marriage will be Christian marriage, identical in status to a marriage between baptised persons.
    - (b) that the unbaptized person intends to live with the baptized person according to the Christian law of marriage.
    - (c) that both parties to the proposed marriage intend and will give an undertaking that any children resulting from the marriage shall be baptized and brought up as Christians.

(3) The Form of solemnization of Holy Matrimony shall not be used in the case of a proposed marriage in which either of the parties shall have been married by Christian Rites or by another form of marriage recognised by the Church to a person or person still living except by permission of the Bishop in terms of Sub-Clause (4) below:

(4) (a) Any member whose marriage has been annulled or dissolved by a civil court of competent jurisdiction and who desires to contract another union, or any member who desires to contract a union with one whose previous marriage has been annulled or dissolved by a civil court of competent jurisdiction or by a recognised authority or in a recognised manner shall, if he or she desires to have such a union solemnized by the Rites of the Church during the life time of a former partner, apply to the Bishop for judgement;

(b) The Bishop, with the concurrence of the majority of two or more assessors sitting together or by correspondence with one or more of them shall issue a judgement to the applicant which shall grant or withhold permission for such solemnization.

- (c) The assessors shall include:
  - (i) the Archdeacon of the Archdeaconry in which one or other of the parties resides; and
  - (ii) the Chancellor or Registrar of the Diocese or some other Communicant Member learned in the law.
- (d) No case shall be considered until at least one year after the final dissolution of the former marriage.
- (e) Applications shall be made to the Bishop not less than three calendar months before the date of the contemplated marriage.
- (f) Before a favourable judgement is rendered, the Bishop, and a majority of the Assessors shall be satisfied:
  - (i) that both parties are baptized;
  - (ii) that no facts exist which make the proposed marriage bigamous;
  - (iii) that both parties do intend a Christian marriage; and either
  - (iv) that one or more of the facts set forth in Clause 6 hereunder are shown to have existed in the previous relationship of him or her whose marriage has been annulled or dissolved which manifestly establish that no marriage bond as is recognised by the Church exists; or

- (v) that such defects of personality shall have been shown to exist as to have made the continuance of the marriage impossible.
- (g) No such judgement shall be construed as reflecting in any way upon the legitimacy of children or the civil validity of the former relationship;
- (h) Every judgement rendered under this Canon shall be lodged in the Diocesan Registry;
- (i) Any person in whose favour a judgement has been granted under the provisions of this Canon may be married by a Clergyman of the Diocese in which the judgement is given. If the marriage is proposed to be solemnized in another Diocese than the one in which the judgement is given, the said judgement shall have been previously submitted to and approved by the Bishop of that Diocese.

MARRIAGE  
OR  
CHRISTIAN

- 3. (1) Where two baptized persons are living together as man and wife, their union not having been solemnized by the Rites of the Church, the Bishop may at his discretion give permission for one or both of the persons to be presented for Confirmation and/or admitted to Holy Communion; provided that the Bishop shall first be satisfied inter alia that the persons have been married under native customary law or under some other generally accepted law and that they are without other partners.

- (2) Where two persons living together as man and wife under native Customary law or any other generally accepted law and without other partners, are admitted to Holy Baptism, their marriage is ipso facto raised to the status of Christian Marriage. The Church shall formally recognise this fact by bestowing upon it a form of blessing.
- (3) A marriage contracted by non-Christians is not raised to the status of Christian Marriage by the Baptism of one of the partners only. If after such baptism the unbaptised partner is unwilling to remain peacefully and without offence to God with the baptized partner without seeking to induce him or her to break any Christian Law or prevent the baptism and Christian upbringing of the children, it is possible for the baptized partner to take advantage of the "Privilegium Paulinum" (I Corinthians VII:12-16). If this course is desired, application shall be made to the Bishop, who shall satisfy himself by direct approach to the unbaptized partner that such unwillingness exists. If he be satisfied of it, the Bishop may on the dissolution of the marriage permit the baptized partner to contract a new and Christian marriage. Until the former marriage is dissolved, the baptised partner may follow his or her conscience in regard to cohabitation.
- (4) Where local practice in regard to marriage is not repugnant to Christian Doctrine or Law, observance of such practice by two persons desiring to be married by the Rites of the Church shall not constitute a reason for refusing such Rites to them nor shall it be

held in disrepute by the Church, provided that the Priest who solemnizes the marriage shall be satisfied that both the persons are conversant with the principles of Christian Marriage and they intend that their marriage shall be monogamous and indissoluble. In case of any doubt as to whether any local practice is repugnant to Christian Doctrine or Law, the ruling of the Bishop shall be final.

- (5) The inclusion of the English law of Inheritance shall not of necessity be required as a condition of the solemnization of a marriage: Nevertheless, it is the duty of the husband to ensure that at his death adequate provision is made for his widow and children from his estate.
- (6) Marriages under this Canon may not be solemnized without the prior publication of Banns of Marriage on three successive Sundays at the Church or Churches at which the parties customarily attend Divine Service and no impediment be declared. Publication of Banns shall not be necessary in the case of a blessing under Clause 3(2) of this Canon. If not in accordance with the provisions of the Civil Law, such marriages shall be recorded in a Register to be kept for the purpose.

POLYGAMISTS

- 4. (1) Unless under exceptional circumstances and with the direct permission of the Bishop given in writing, no man living as a polygamist shall be admitted to Holy Baptism; a baptized person who becomes a polygamist shall not be admitted to Confirmation or Holy Communion.

- (2) The wives of a polygamist may, subject to the provisions of Clause 5(5) of this Canon be admitted to Holy Baptism and shall not be precluded from Confirmation and Holy Communion solely on account of such marital circumstances.

MISCELLANEOUS  
RULES

5. (1) A Communicant Member of the Church who marries a non-Christian, except it be within the terms and conditions of Clause 2(2) of this Canon shall be suspended from the reception of Holy Communion until such time as, in the discretion of the Bishop, he or she shall be restored thereto, or until such time as the non-Christian partner shall have been baptized and all other conditions contained in this Canon relevant to such a case have been fulfilled; such restoration to Holy Communion shall not include the remaining privileges of Communicant status until the non-Christian partner shall have been baptized.
- (2) Communicant member of the Church who, having obtained a divorce, contracts a new union except as provided in Clause 2(4) of this Canon shall automatically be suspended from the reception of Holy Communion.
- (3) Confirmed members of the Church who are living together as man and wife under native customary law or other generally accepted law and without other partners but who are not eligible to be married by the Rites of the Church during the lifetime of a former partner may nevertheless, at the discretion of the Bishop be readmitted to Holy Communion; such readmission shall not be

permissible until this union shall have proved stable and in any case not within a period of twelve months from the date of the remarriage.

- (4) Baptized persons who are living with one partner alone to the exclusion of all others and who intend this union to be monogamous and indissoluble but are not eligible to be married by the Rites of the Church during the lifetime of a former partner may not be presented to the Bishop to be confirmed without special reference to the Bishop before the commencement of preparation for Confirmation.
- (5) A baptized member of the Church who marries a polygamist shall not be eligible for Confirmation; a communicant member who marries a polygamist shall be suspended from Holy Communion as long as such a union shall exist, unless under exceptional circumstances the permission of the Bishop in writing shall have first been obtained for Confirmation or restoration to Holy Communion, as the case may be.

IMPEDIMENTS

- 6. The following shall be impediments to the solemnization of Holy Matrimony which, should the marriage have been contracted, may be grounds for nullity in the Church -

- (1) Marriage within the prohibited degrees as set out in the Book of Common Prayer 1662, as amended in 1946, or the Book of Common Prayer of the Church of Nigeria, and such other degrees of relationship as are normally prohibited by local or tribal custom;

- (2) Mistake as to the identity of either party;
- (3) Lack of freewill and competent consent on the part of either (including fraud, duress, mental deficiency, insanity);
- (4) Impotence or sexual perversion; and
- (5) Bigamy.

**CANON XXI**  
**Of Training of Priests**

1. Subject to such exemptions and variations as may be specifically permitted by a Bishop within his Diocese, the normal training required of a Priest of this Church shall be as follows -
  - (a) he shall pass through a period of not less than three years as a candidate aspiring for theological training;
  - (b) he shall undergo a formal training in an approved theological Institution for a minimum period of four years leading to a degree in Theology;
  - (c) where the postulant already has a degree in another discipline from an approved Institution, he shall need only two years formal training in a theological institution;
  - (d) he shall not be less than twenty-five years of age;
  - (e) he shall have a minimum of a first degree in Theology or any field of study from a recognised university or tertiary institution;
  - (f) where the degree is not in Theology, the candidate shall in addition have a minimum of a first degree in Theology from an

institution recognised by the Church of Nigeria (Anglican Communion).

2. Any person who does not have the above qualifications, shall not be ordained as a Priest of the Church and accorded the rights and privileges appertaining thereto.

#### **CANON XXII Of Membership**

1. The membership of the Church of Nigeria shall be open to all persons who accept the aims and objectives and the doctrines of the Church as contained in the Constitution of the Church and in the Thirty-nine Articles of Religion.
2. No person shall be considered a member of the Church of Nigeria (Anglican Communion) unless he is accepted as a member by one of the Dioceses of the Church in compliance with the Constitution of the said Diocese.
3. In accordance with the doctrines of the Church of Nigeria and/ or the Constitution of a Diocese, a member shall be baptized, and may in addition be confirmed or unconfirmed, married or unmarried, financial or non-financial.
4. No person shall be a member of the Church of Nigeria (Anglican Communion) and at the same time a member of any other religion or faith or secret society or cult.
5. Any member of the Church of Nigeria (Anglican Communion) who forms another Church, or joins another Church not in communion with the Anglican Church or espouses another religion, or denounces or renounces the doctrines of the Church of Nigeria (Anglican Communion) shall be

deemed to have ceased to be a member of the Church of Nigeria and his membership shall terminate accordingly.

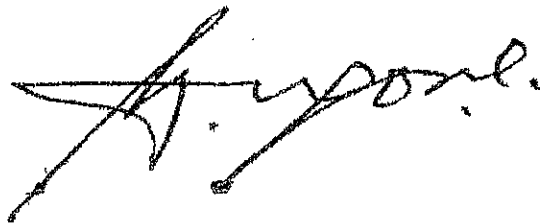
6. Every member shall be entitled to a certificate of membership signed by the Vicar of his church and countersigned by the Bishop of the Diocese to which he belongs, upon the payment of such fees as may be prescribed by the Diocesan Synod.
7. No member shall be entitled to a share of church property or funds, or to the continued ownership, possession or use of church buildings or facilities upon ceasing to be a member of the Church of Nigeria (Anglican Communion).
8. For the avoidance of doubt, title to all movable and immovable property of the Church of Nigeria (Anglican Communion) shall remain vested in the relevant registered body of trustees of the Church, notwithstanding the cessation of the membership of any person.

**SPECIAL CLAUSE**

**THE INCOME AND PROPERTY OF THE  
CHURCH OF NIGERIA (ANGLICAN COMMUNION)**

1. Whenssoever derived shall be applied solely towards the promotion of the objects of the Church of Nigeria (Anglican Communion) as set forth in this RULES AND REGULATIONS/ CONSTITUTION; and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus, or otherwise howsoever by way of profit, to the members of the Church of Nigeria (Anglican Communion).
2. PROVIDED that nothing herein shall prevent the payment, in good faith, or reasonable and proper remuneration to any officer or servant of the Church of Nigeria (Anglican Communion) in return for any service actually rendered to the Church of Nigeria (Anglican Communion) that no member of 'the Council of Management or Governing Body shall be appointed to any salaried office of the Church of Nigeria (Anglican Communion) or any office of the Church of Nigeria (Anglican Communion) paid by fees; and that no remuneration or other benefit in money or money shall be given by the Church of Nigeria (Anglican Communion) to any member of such Council or Governing Body except repayment of out-of-pocket expenses or reasonable and proper rent for premises demised, or let to the Church of Nigeria (Anglican Communion) provided that the provision last aforesaid shall not apply to any payment of any Company to a member of the Church of Nigeria (Anglican Communion) may be a Company in which such member shall not hold more than one-hundredth part of the capital, and such member shall not be bound to account for any share of profits he may receive in respect of any such payment.
3. NO ADDITION, alteration, or amendment shall be made to or in the RULES AND REGULATIONS/ CONSTITUTION for the time being in force, unless the same have been previously submitted to and approved by the Registrar-General.
4. IN the event of a winding up or dissolution of Church of Nigeria (Anglican Communion) there remains, after the satisfaction of all it's debts and liabilities, any property whatsoever, the same shall not be aid to or distributed among the members of the Church of Nigeria (Anglican

Communion) but shall be given or transferred to some other institution or institutions, having objects similar to the objects of Church of Nigeria (Anglican Communion) and the body or bodies are prohibited from distributing it's or their income and property amongst it's or other members to an extent at least as great as is imposed on the Church of Nigeria (Anglican Communion) under or by virtue of the SPECIAL-CLAUSE hereof, such institutions to be determined by the member of Church of Nigeria (Anglican Communion) effect cannot be given to the aforesaid provision then to some charitable object.



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VENERABLE GEORGE UGOCHUKWU NJOKU  
*Clerical Secretary*



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THE MOST REVD. HENRY CHUKWUDUM NDUKUBA  
Archbishop, Metropolitan and Primate  
Church of Nigeria (Anglican Communion)  
*President of The General Synod*

## VISION STATEMENT

**"THE CHURCH OF NIGERIA (ANGLICAN COMMUNION) SHALL BE BIBLE-BASED, SPIRITUALLY DYNAMIC, UNITED, DISCIPLINED, SELF-SUPPORTING, COMMITTED TO PRAGMATIC EVANGELISM, SOCIAL WELFARE AND A CHURCH THAT EPITOMIZES THE GENUINE LOVE OF CHRIST."**

EXH C

# Ike, Ike & Associates

LEGAL PRACTITIONERS

P.O. Box 141, Enugu

Phone: 05034009707 & 04096711111

Email: [ikeassociates@ymail.com](mailto:ikeassociates@ymail.com)

Arch of Law,

3, Cary Street,

Enugu, Enugu.

28<sup>th</sup> July, 2025

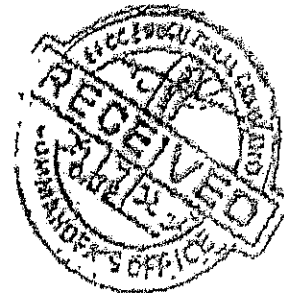
The Zonal Director

(Enugu Zonal Directorate)

Economic & Financial Crimes Commission.

Federal Government College Road,

Enugu



Dear Sir,

**COMPLAINT OF MASSIVE CRIMINAL STRIPPING AND STEALING OF ASSETS OF CHURCH OF NIGERIA (ANGLICAN COMMUNION), AWKA DIOCESE BY ARCH-BISHOP, HIS GRACE, REV. ALEXANDER CHIBUZO IBEZIM WITH LOOMING CONSEQUENCE OF RETRENCHMENT OF HUNDREDS OF STAFF OF DIOCESE OF AWKA (CHURCH OF NIGERIA)**

We act for and on the instructions of Prince Echezona Bonu Onuigbo of St. Faith Cathedral, Awka, Anambra State (hereinafter referred to as "our client"). It is our instruction to lodge this complaint of economic crime to you.

1. Our client was born a Christian of Anglican faith, and his membership of Church of Nigeria (Anglican Communion) dates back for over 60 years. What reduces our client to tears and anguish is the on-going monumental stealing and stripping of the assets of Diocese of the Church Awka by the incumbent, Bishop of the Diocese of Awka and Arch Bishop of the Province of Niger, His grace, Rev. Alexander Chibuzo Ibezim. His actions have led to massive loss of revenue to the Church, with resultant effect to lead to massive job losses and budgetary cuts which will adversely affect the running of the church, the

I, the undersigned, being a member of the Bar of the State of Enugu, do hereby certify that the above is a true and correct copy of the original document filed with me for filing in the proceedings of the Economic & Financial Crimes Commission, Enugu Zonal Directorate, and that I am not aware of any other person who has been or is likely to be involved in the commission of the offence complained of.

economic well-being of members and staff of the Church of Nigeria (Anglican Communion).

2. Chapter XIV, Section 56 of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 1997 (as amended) vests all the assets and properties of the church on the Registered Trustees of the Church. Notwithstanding the clear provision of Chapter XIV, Section 56 supra, the said Rev. Ibezim has single-handedly been selling the lands of the Church, in total disregard to the Constitution and Canons of the church. The copy of the Constitution is herein attached and marked ANNEXURE "A"
3. During the bishopric of the suspect's predecessor, His grace, Rev. Maxwell Anikwenwa, (now late), acquired enormous landed properties for the church at diverse locations within the territorial limits of the church, to the adulation of the church members and enrichment of the economy of the church.
4. However, no soon had Rev. Ibezim took over the mantle of leadership of the church, he began a systematic stripping and stealing of the land assets of the church to the chagrin and consternation of Diocesan Officials, like the Chancellor, Hon.(Justice) O.J. Okeke (nd), and Diocesan Secretary, Barr. Chris Adimora. Attempts by the duo to caution him to desist from his criminal machinations were rebuffed by the suspect.
5. At the last count, the suspect had stripped and stolen seven hundred and fifty-two million naira (N752,000,000.00) being proceeds of sale of landed properties of Church of Nigeria (Anglican Communion) of Diocese of Awka, and converted same to his personal accounts. As at date, the value of the stripped properties of the church has tripled, thus bringing the suspect's loots in excess of two(2) billion naira (N2,000,000,000.00).

8 A break-down of the converted and stolen properties, and the value as at date of disposal are hereunder set out

| <u>DESCRIPTION OF PROPERTIES</u>                                                                                         | <u>VALUE AS AT DISPOSAL</u> |
|--------------------------------------------------------------------------------------------------------------------------|-----------------------------|
|                                                                                                                          | N                           |
| ✓ 1. Eight(8) plots of land at Ifite, Awka behind the Diocesan Shopping Mall, which was sold to one Prince Emeka Onyido. | 80,000,000.00               |
| ✓ 2. Two(2) plots of land at Amansea                                                                                     | 28,000,000.00               |
| ✓ 3. Two(2) Plots of land at Ngozika Estate, Awka sold to Chisco Nigeria Ltd                                             | 140,000,000.00              |
| ✓ 4. Two(2) plots of land at Ngozika Estate, Awka sold to an Nri Man                                                     | 42,000,000.00               |
| ✓ 5. Two(2) plots of land at Ngozika Estate, Awka sold to Igwe Onyido                                                    | 48,000,000.00               |
| ✓ 6. Two(2) plots of land at Ngozika Estate, Awka sold to Prof. Emenike Ohi                                              | 70,000,000.00               |
| ✓ 7. Two(2) plots of land at Ngozika Estate, Awka sold to Uju of Fidelity Bank Plc                                       | 110,000,000.00              |
| ✓ 8. One(1) plot of land at Ngozika Estate, Awka sold to Dr. Ben Okoye                                                   | 35,000,000.00               |
| ✓ 9. One(1) plot of land at Ngozika Estate, Awka sold to Tony Muobike                                                    | 55,000,000.00               |

In the light of foregoing, we beseech and enjoin you to use your good offices to investigate this complaint, and bring the suspect and his collaborators to book, and edify the Laws of Nigeria.

Yours faithfully,

  
Chief G. Tagbo Ike, SAN



EXH D



Wednesday, August 13, 2025.

Hon. Justice Babasola Ogunade  
Chancellor of Lagos West.

Dear Sir,

**RE: CONSTITUTION OF PANEL ON INQUIRY INTO THE MANAGEMENT AND DISPOSAL OF ASSETS OF THE CHURCH OF NIGERIA, DIOCESE OF AWKA UNDER THE AUTHORITY OF THE MOST REV'D ALEX C. IBEZIM.**

Calvary greetings to you in the name of our Lord Jesus Christ.

2. The firm of Ike, Ike & Associates have copied us of the above complaint against the Most Rev'd Dr Alex Ibezim, Archbishop of the Niger Province and Bishop of Awka Diocese.

3. The documents speak volumes about the purported sale of Diocesan properties and assets without due process.

4. To avoid undue negative attention and embarrassment caused to the Awka Diocese in particular and the Church of Nigeria in general, we have prayerfully decided to constitute a Visitation Panel with the following as Chairman and members -

- |                                                                |   |           |
|----------------------------------------------------------------|---|-----------|
| a) Hon. Justice Babasola Ogunade<br>Chancellor, Lagos West     | - | Chairman  |
| b) Hon. Justice Nnena Otti<br>Chancellor, Ohaji-Egbema Diocese | - | Member    |
| c) Hon. Justice Taiwo Taiwo,<br>Chancellor, Diocese of Ondo    | - | Member    |
| d) The Rt Rev'd Ishaya Baba<br>Bishop of Zaria                 | - | Member    |
| e) The Ven. Syrenius D. Okoriko                                | - | Secretary |

To do the following:

- (a) Investigate the allegations with regard to the management and disposal of the assets of the Church of Nigeria, Diocese of Awka under the authority of the Most Rev'd Alex C. Ibezim as contained in the petition dated 12th July, 2023.

- (b) Investigate the looming consequence of retrenchment of hundreds of staff of the Diocese;
- (c) Determine the veracity or otherwise of the allegations;
- (a) Undertake such other actions as will enable us take informed decision(s) on the matter;
- (b) Make such recommendation(s) as may be deemed appropriate under the circumstances.

4. Please note that the duration of this assignment is 4 weeks from the date of inauguration which is scheduled for **Monday, 18th day of August, 2025** at 11am via Zoom.

The link will be forwarded to you as soon as possible.

Yours in the Christ,

  
**The Most Rev'd Henry C. Ndukuba, MA, BD, MA (Ed), DD**  
Archbishop, Metropolitan and Primate of All Nigeria.

**A. GROUNDS IN SUPPORT OF THE OBJECTION THAT PRINCE ECHEZONA BONTI ONUIGBO HAS NO LEGAL CAPACITY TO MAKE ANY ACCUSATION AGAINST THE ACCUSED BISHOP**

- 1.0 The Accuser (Prince Echezona Bonti Onuigbo) is not within the category of persons specifically stipulated in section 24 of CANON XVI on page 99 of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, who are entitled to make charges or accusations against a Bishop of the Church of Nigeria (Anglican Communion) such as the Accused Person/Objector. The Accuser is also not a member of Diocese of Awka (Anglican Communion) and not of St. Faith Cathedral, Awka, as he claimed.

In this regard, the Accused Person/Objector hereby adopt the arguments in paragraphs 1.1 to 1.11 on pages 1 to 5 of his letter dated Monday, August 18, 2025, addressed to The Most Rev'd Henry C. Ndukuba, MA, BD, MA (Ed.), DD, Archbishop, Metropolitan & Primate of All Nigeria.

**B. GROUNDS IN SUPPORT OF THE OBJECTION THAT THE INSTANT INVESTIGATION/VISITATION PANEL OR BODY OR COMMITTEE SET UP BY THE ARCHBISHOP, METROPOLITAN AND PRIMATE OF THE CHURCH OF NIGERIA (ANGLICAN COMMUNION) IS NOT PROPERLY CONSTITUTED AND LACKS THE JURISDICTION TO ENTERTAIN OR CARRY OUT ANY INVESTIGATION IN RESPECT OF THE PURPORTED ACCUSATIONS CONTAINED IN THE LETTER DATED 28<sup>TH</sup> JULY, 2025, WRITTEN TO THE ECONOMIC AND FINANCIAL CRIMES COMMISSION ON THE INSTRUCTIONS OF THE ACCUSER (PRINCE ECHEZONA BONTI ONUIGBO)**

- 2.0 The Primate has a duty under the Constitution and Canons of the Church of Nigeria, to preside to try the accused person.

- 2.1 The power to appoint a Committee is vested by section 31(1) of the Constitution on the General Synod. Chapter VII on page 20 of the Constitution and Canons of the Church of Nigeria is entitled "**POWER TO APPOINT COMMITTEES AND COMMISSIONS**" and section 31(1) thereof reads:-

"(1) The General Synod may appoint or provide by their Standing Orders for the appointment of a Standing Committee and such other Committees, Commissions, Departments and bodies, which may include persons who are not members of the Synod and such officers as they think fit."

- 2.2 The composition of the General Synod is stated in sections 6, 7, 8, and 9 of the Constitution and Canons of the Church of Nigeria, and those

provision clearly show that it is not composed only by the Primate  
Sections 6, 7, 8, and 9 reads:-

6. The General Synod shall consist of:
    - (a) the House of Bishops;
    - (b) the House of Clergy; and
    - (c) the House of Laity constituted in accordance with the provisions of this Constitution.
  7. The House of Bishops shall consist of:
    - (a) the Archbishop, Metropolitan and Primate of the Church of Nigeria;
    - (b) the Dean of the Church of Nigeria;
    - (c) all serving Bishops of the Church of Nigeria;
    - (d) retired Bishops who are not engaged in remunerative work outside the ordained Ministry: Provided that they shall have no right to vote.
  8. (1) The House of Clergy shall consist of Priests and Deacons who hold the license of the Bishop of the Diocese they represent, elected in such manner and in accordance with such rules as the Diocesan Synod may make in that behalf.  
(2) Unless the General Synod or the Standing Committee otherwise decides, every Diocese shall be represented by two Clerical representatives.
  9. (1) The House of Laity shall consist of such communicant members of the Church of the age of 18 years and above elected or appointed Lay Representatives of the Diocese they represent with such rules as the Diocesan Synod may make in that behalf.  
(2) Unless the General Synod or the Standing Committee otherwise decides, every Diocese shall be represented by three Lay representatives which shall include the Chancellor and at least one woman."
- 2.3 The Primate can only exercise powers vested on him by the Constitution and Canons of the Church of Nigeria. Power or powers not given to him cannot be exercised by him, except in error. See sections 26(2) and 29(a) of the Constitution which consistently state that his powers are as "defined by the Constitution, Canons and Regulations" which mean that he cannot exercise any power except given to him by the provisions of the Constitution, Canons and Regulations of the Church.
- 2.4 The Primate of All Nigeria should have allowed the persons mentioned in section 22 of CANON XVI that deal with Ecclesiastical Discipline on page 99 of the Constitution and Canons of the Church of Nigeria (Anglican Communion) to try the Accused Person/Objector since he is a Bishop of the Church. Section 22 of CANON XVI provides:-

"A Bishop of the Church shall, where charges are brought against him be tried by a court consisting of the Primate and the Bishops of the Church of Nigeria. The Primate shall preside. The Bishops except the accused, shall be summoned by the Primate to the hearing of the charge; but no trial shall take place unless there be present at least six Bishops, including the Primate, but excluding the accused."

- 2.5 It is important to note that the word "charges" is used interchangeably with the words "accusations". See sections 1, 5, and 25 of CANON XVI.
- 2.6 It is clearly provided by section 55 of the constitution that any bishop against whom a charge is brought shall be tried in accordance with the provisions of the relevant CANONS on Discipline. There is no provision for setting up an investigation committee to investigate accusations made in or any document.
- 2.7 The clear provision of section 22 of CANON XVI is that "a Bishop of the church shall, where charges are brought against him be tried by a court consisting of the Primate and the Bishops of the Church of Nigeria and the Primate shall preside, but no trial shall take place unless there be present at least six Bishops, including the Primate, but excluding the accused".
- 2.8 The present Panel is not properly constituted in line with section 22 of the Constitution and is, therefore, incompetent and lacks the jurisdiction to embark on any hearing.
- 2.9 The present Panel is also not properly constituted in line with section 75(1)(2)(3)(4)(5) and 76(1)(2)(3)(4)(5) on pages 43 and 44 of the Constitution, specifically in Chapter XVII which deal with DISPUTE RESOLUTION.
- 2.10 There is no room in the Constitution for a Visitation Panel.
- 2.11 The locus classicus case on the ingredients for competence and jurisdiction of any court or Tribunal is the case of MADUKOLU V. NKEMDILIM (1962) 2 S.C.N.L.R. 341, on page 348, where BAIRAMIAN, F.J., said:-

"Put briefly, a Court is competent when ---

- (1) it is properly constituted as regards numbers and qualifications of the members of the bench, and no member is disqualified for one reason or another; and
- (2) the subject matter of the case is within its jurisdiction, and there is no feature in the case which prevents the Court from exercising its jurisdiction; and
- (3) the case comes before the Court initiated by due process of law, and upon fulfilment of any condition precedent to the exercise of jurisdiction."

2.12 It is submitted that by virtue of section 237(1) of the Constitution of the Federal Republic of Nigeria, 1999, as amended, :-

"The decision of the Supreme Court shall be enforced in any part of the Federation by all authorities and persons, and by courts with subordinate jurisdiction to that of the Supreme Court."

The words "all authorities and persons" are wide and elastic enough to include the members of the present Panel.

2.13 It remains to point out that by virtue of section 90 of the Constitution (see page 56 thereof):-

"The provisions of this Constitution and the Canons of the Constitution shall be binding and take effect from the 23<sup>rd</sup> day of September, 2020."

The bindingness of the Constitution and Canons of the Constitution unmistakably command strict compliance with its provisions.

2.14 **THE MERE FACT THAT THE MEMBERS OF THIS PANEL ARE NOT SITTING AS A COURT OF LAW IS NO EXCUSE NOT TO BE BOUND BY THE LAWS OF THE FEDERAL REPUBLIC OF NIGERIA INCLUDING THE COUNTRY'S CONSTITUTION, RELEVANT DECIDED CASES AND THE CONSTITUTION AND CANONS OF THE CHURCH OF NIGERIA (ANGLICAN COMMUNION), 2020 AND THE CONSTITUTION AND REGULATIONS OF THE DIOCESE OF AWKA (ANGLICAN COMMUNION), 2022.**

Although this Panel is not a court of law established by statute or the Constitution of the Church of Nigeria or Constitution of the Federal Republic of Nigeria, the members of the Panel are Nigerians who are bound by Nigerian laws including case law and the Constitution of the Church. Consequently, since ignorance of the law is not an excuse, and since the attention of the Panel has been drawn to the position of the law, the proper thing to do is to uphold the law and strike out the Accuser's complaints/accusations.

The Church of Nigeria (Anglican Communion) is made up of Nigerians who are bound by the existing laws in Nigeria and must conduct its affairs in compliance with all extant laws in the country and its own Constitution.

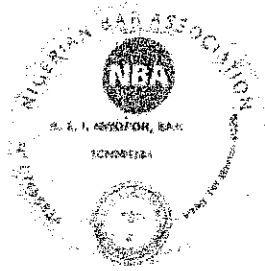
### **C. CONCLUSION**

3.0 The preliminary objections are meritorious and should be upheld.

3.1 The Constitution and Canons of the Church of Nigeria (Anglican Communion) are binding, by virtue of section 90 thereof, and must, therefore, be strictly complied with and enforced. The Primate himself signed the Constitution.

3.2 The instant preliminary objections are argued principally to safeguard the sanctity, inviolability, supremacy, binding force and potency of the Constitution and Canons of the Church of Nigeria (Anglican Communion), 2020, as amended, and maintain law and order, the Rule of Law, due process, and discipline in the household of God.

DATED at Abuja on Friday, August 29, 2023



B.E.I. NWOFOR, S.A.N.  
Senior Counsel for Accused Person/ Objector,  
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Rivers State.  
09137144099

OR

GODSWILL MRAKPOR Chambers,  
42, Nouakchott Street,  
Wuse Zone 1,  
Abuja.

For service on:  
ACCUSER (Prince Echezona Bonti Obuigbo)  
Through his Senior Counsel,  
Chief G. Tagbo Ike, S.A.N.  
Arena of Law,  
3, Carr Street,  
Asata,  
Enugu.

EXH F

**CHURCH OF NIGERIA**  
**(ANGLICAN COMMUNION)**  
**DIOCESE OF AWKA**  
**OFFICE OF THE CHANCELLOR**

Emmaus House,  
47, Arthur Eze Avenue,  
Awka.  
Anambra State  
09137144099  
16/09/2026

**THE MOST REV'D HENRY C. NDUKUBA, MA, BD, MA (Ed.), D.D.,**  
Archbishop, Metropolitan and Primate of All Nigeria,  
Church of Nigeria (Anglican Communion),  
St. Matthias House,  
Plot 942, Ibrahim Waziri Crescent,  
Apo.  
Abuja.

Your Grace,

**APPLICATION FOR CERTIFIED TRUE COPY OF THE REPORT**  
**SUBMITTED TO YOUR GRACE BY THE VISITATION TEAM TO THE**  
**DIOCESE OF AWKA**

Your Grace will recall that by a letter dated June 17, 2026, you constituted a Visitation Team to the Diocese of Awka to undertake a comprehensive visitation to the Diocese of Awka and made the most Rev'd Blessing Enyindah, PhD, JP, the Chairman of the Team with nine other members.

The Terms of Reference you gave the Visitation Team are:

- “(1) Interphase with all the aggrieved members of the Diocese and other state holders with a view to resolving the issues around the assets, landed and otherwise of the Diocese.

- (2) Undertake such other activities and support same with appropriate recommendations as to the recovery of any of the properties or lands of the Diocese that have been sold or otherwise disposed of."

It is on record that the Visitation Team sat at Aguata Diocese and invited The Most Rev'd Alexander C. Ibezim, PhD, the Archbishop of the Province of the Niger and Bishop of the Diocese of Awka and other Diocesan officials to appear before it which invitation was duly honoured. All the documents and information which Visitation Team requested for from the officials of the Diocese of Awka were provided to the Team.

It is very important to observe that the Visitation Team invited Prince Echezona Bonti Onuigbo who, by his Solicitor's letter dated 28th July, 2025, made "COMPLAINT OF MASSIVE CRIMINAL STRIPPING AND STEALING OF ASSETS OF CHURCH OF NIGERIA (ANGLICAN COMMUNION) AWKA DIOCESE BY ARCHBISHOP ALEXANDER CHIBUZO IBEZIM WITH LOOMING CONSEQUENCE OF RETRENCHMENT OF HUNDREDS OF STAFF OF DIOCESE OF AWKA CHURCH OF NIGERIA" to the Economic and Financial Crimes Commission (E.F.C.C.) but he refused to honour the invitation to produce evidence to establish his allegations. The same petitioner had also refused to honour the invitation to appear before the earlier Panel set up by your Grace on the same subject matter which was headed by HON. JUSTICE OGUNADE. It is clear that the petitioner has completely abandoned his frivolous allegations having not provided evidence to substantiate them.

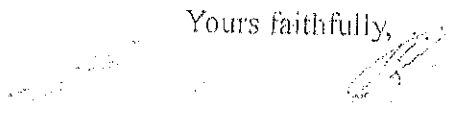
We are aware that the Visitation Team have concluded its sittings at Aguata Diocese, written and submitted its REPORT to your Grace since July 2026, that is, almost two months ago now.

We are entitled to be given a copy of the Report of the Visitation Team submitted to your Grace.

I have the instruction of the Registered Trustees of the Diocese of Awka to formally request for a copy of the Report of the said Visitation Team to be given to us to enable us know the findings made by the Team.

Thank you, sir, and God bless and guide you. The grace of our Lord Jesus Christ be with your spirit: Galatians 6:18.

Yours faithfully,

  
B.E.I. NWOFOR, S.A.N.,  
Chancellor, Diocese of Awka  
(Anglican Communion)

of suspension, or removal, retirement or dismissal, from his offices as Archbishop of the Province of the Niger and Bishop of the Diocese of Awka (Anglican Communion) or, howsoever, to truncate or terminate or curtail or abridge the plaintiff's vested right stipulated in section 4 Canon X to remain in office as the Bishop of the Diocese of Awka (Anglican Communion) until he attains the constitutional retirement age of 70 (seventy) years, stipulated in section 4 Canon X of the Constitution ands Canons of the Church of Nigeria (Anglican Communion) pending the hearing and determination of the substantive suit.

2. An order of interlocutory injunction restraining the defendants by themselves and by any organ, or body or committee of the Church of Nigeria (Anglican Communion) and by any other subordinate officers, priests, clergy, Bishops, workers, servants, agents, privies, legal officers, or howsoever, from further threatening to suspend, remove or retire the plaintiff from his offices as Archbishop of the Province of the Niger and Bishop of the Diocese of Awka (Anglican Communion) and from interfering in the affairs of the Diocese of Awka (Anglican Communion) for any purpose whatsoever without the prior consent in writing of the plaintiff, or his successors in office, after his retirement and the expiration of his tenure of office, and without the prior consent of the Diocesan Board and Diocesan Synod and the Registered Trustees of the Diocese of Awka (Anglican Communion), pending the hearing and determination of the substantive suit.

## **B. CONCISE STATEMENT OF THE FACTS**

- 2.0 The salient facts giving rise to this application for interlocutory injunction filed by the applicant in this case have been stated in the affidavit in support of the present motion on notice for interlocutory injunction. The instant application for interlocutory injunction is for the situation of real urgency inherent in the facts deposed by the applicant in the affidavit in support of the application to protect and preserve the vested rights of the

applicant from contravention or further violation by the respondents.

**C. ISSUE FOR DETERMINATION IN THIS APPLICATION**

3.0 Whether it is just and proper to grant the application having regard to the facts in the affidavit in support of the motion and relevant principles of law?

**D. ARGUMENT**

4.0 Before your Lordship is a motion on notice filed on October 13, 2026. The prayers on the motion have been reproduced in paragraph 1.0 above. The quo warranto for the application are:-

1. ORDER 39 RULES 1(1), 2(2), 8, ORDER 40 RULES 1(1)(2), 3(1), 8 OF THE HIGH COURT (CIVIL PROCEDURE) RULES, 2019.
2. SECTION 6(6)(A) OF THE CONSTITUTION OF THE FEDERERAL REPUBLIC OF NIGERIA, 1999, AS AMENDED

4.1 The motion is supported by an affidavit containing 31 paragraphs deposed by the applicant. The applicant rely on all the paragraphs of the said affidavit as well as on all the exhibits exhibited thereto, namely, Exhibits A to F.

4.2 There is no doubt that the court has the discretionary power to grant an order of interlocutory injunction in deserving circumstances or situations.

4.3 Speaking on the principles governing the grant of injunctions; the Supreme Court of Nigeria (per his Lordship, ABUBAKAR, J.S.C., delivering the lead judgment) in NOBLE DRILLING (NIGERIA) LTD. V. NIGERIAN MARITIME ADMINISTRATION AND SAFETY AGENCY & ANOR. (2026) 14 N.W.L.R. (PT.2059) 1 said on page 86 para. A to C as follows:-

"It bears emphasising at the outset that an injunction, whether interim, interlocutory, or perpetual, is an equitable remedy. It is neither mechanical nor automatic. The court must be satisfied, upon proper legal foundation and factual

circumstance, that its intervention is necessary to protect an established legal right. It is a maxim of equity that *ubi jus, ibi remedium*, but it is equally a maxim that equity follows the law and does not act in vain. Thus, where the substantive right of a party has been ascertained by judicial declaration, an order of injunction may be deployed to prevent a violation of that right or to restrain a party from persisting in an unlawful course of conduct. Consequential orders, including perpetual injunctions, may be legitimately issued to protect rights already declared by the court. See *Odofin v. Agu* (1992) 3 NWLR (PT.229) 350."

#### 4.4 LEGAL RIGHT OF THE APPLICANT

It is a fundamental requirement to show legal right of the applicant capable of being protected by an order of injunction before the court will make the order. See the Supreme Court of Nigeria decision in *OBIDIEGWU ONYESOH V. NZE CHRISTOPHER NNEBEDUM & 3 ORS.* (1992) 3 N. W.L.R. (Pt. 222) 315, on page 336, paragraphs E to H (per his Lordship, *KARIBI-WHYTE, J.S.C.*, delivering the leading judgment):-

"The law is that an injunction can only be granted to support a legal right. See *Commissioner of Works (Benue State) v. Devcon Ltd.* (1988) 3 N.W.L.R. (Pt. 83) 407 and will be refused where no *prima facie* case of a legal right to the matter sought to be restrained has been established. See *Ladunni v. Kukoyi* (1972) 3 S.C. 31; *Egbe v. Onogun* (1972) 1 All NLR. (Pt.1) 95."

In *AKAPO V. HAKEEM-HABEEB* (1992) 6 N. W.L.R. (Pt. 247) 266, on pages 289 to 290, his Lordship, *KARIBI-WHYTE, J.S.C.*, distilled the principles upon which a court should decide whether or not an order of injunction should be granted, and said:-

"It is fundamental principle for the grant of injunction that the application will always be granted to support a legal right — see *Montgomery v. Montgomery* (1965) P.46. Hence, the most

important precondition of an applicant is to show that he has a legal right which is threatened and ought to be protected. See *Ojukwu v. Governor of Lagos State* (1986) 3 NWLR (Pt. 26) 39. It follows therefore that the court has no power to grant an injunction where the applicant has not established a recognisable legal right - see *Gourlet v. Union of Post Office Workers* (1977) 3 All ER 70. It is well established that the essence of the grant of injunction is to protect the existing legal right of a person from unlawful invasion by another - *Kotoye v. C.B.N.* (1989) 1 NWLR (Pt. 98) 419. It is for the protection of a recognisable right. See *Obeya Memorial Hospital v. A.G. for Federation & Anor.* (1987) 3 NWLR (Pt. 60) 325. Hence an injunction can be granted though no pecuniary damage is proved. See *King v. Brown, Durant & Co.* (1913) 2 Ch. 416. As long as the act complained of will result in the infringing of the applicant's rights, it is a proper case for intervention by the grant of an injunction."

See also CHIEF ELIAS A. OKEKE-OBA & ANOR. V. IKWUKA OKOYE (1994) 8 N. W.L.R. (Pr. 364) 605, on page 619, paragraphs E to H; AZIETONMA IKE & 2 ORS. V. ÍLOABUEKE UGBOAJA & 5 ORS. (1989) 2 N.W.L.R. (PT. 103) (Reprint) 332, on page 336, paragraph A. In the instant application, the applicant has shown his legal rights in his depositions in paragraphs 2, 3, 7, 8, 9, 12,13,14,15,16,21,23,24,26,27 and 28 of his affidavit in support of the motion.

#### **4.5 APPLICANT'S LEGAL/FUNDAMENTAL RIGHTS HAVE BEEN SERIOUSLY THREATENED AND OUGHT TO BE PROTECTED**

In *AKAPO V. HAKEEK-HABEEB*, supra, on pages 289 to 290, the Supreme Court held, inter alia, thus:-

"Hence, the most important precondition of an applicant is to show that he has a legal right which is threatened and ought to be protected,"

Also, the Court of Appeal in its decision in the case of REUBEN I. EZEBILO & ANOR. V. CHINWUBA (1997) 7 N. W.L.R. (Pt. 511) 108 held that threat (in that case, a threatened trespass to land) is enough to sustain an application for injunction. Delivering the leading judgment in that case, his Lordship, TOBI, J.C.A, said, on the principles for grant of interlocutory injunction (which is the same in respect of interim injunction as far as threat to legal is concerned) :-

"The legal right must be threatened or abused, This may arise by a threat to or brutalization of the res which may result in damage, destruction, or abuse of it. For purposes of granting an application, the applicant need not show that the res was physically attacked or assaulted. A threatened trespass, for instance, in the case of land, is enough to sustain an application. Once the application shows an actionable wrong against the res an order of interlocutory injunction will follow... it should be noted that the decision whether or not to grant an interlocutory injunction has to be taken at a time when, ex hypothesis, the existence of the right or the violation of it or both is uncertain and will remain uncertain until judgment is given in the action. See Obeya Memorial Hospital v. Attorney-general of the federation, supra; Opara v. Ihejirika, supra,"

In the instant motion, the applicant has shown by his depositions in paragraphs 9, 10, 11, 12, 13, 14, 15, 16, 17,18, 19, 20, 22, 23, 24, 25, 26, 27 and 28 of his affidavit in support of the motion, that his legal rights to fair hearing and to right to serve until he attains the age of 70 (seventy) years and to the proper procedure to be followed in the process of exercising disciplinary control over him, etc have been violated and are further being seriously threatened.

#### 4.6 IRREPARABLE INJURY

It is the law that in an application for interlocutory or interim injunction, the applicant must show that he would suffer irreparable injury, if the injunction is refused and he succeeds at the end of the trial. OBEYA MEMORIAL HOSPITAL V. ATTORNEY-GENERAL OF THE FEDERATION (1987) 2 N.S.C.C. 961, on page 968; (1987) 3 N.W.L.R. (Pt. 60) 325. REGISTERED TRUSTEES OF P.C.N. V. REGISTERED TRUSTEES OF A.S.N. (2000) 5 N. W.L.R. (Pt. 657) 368, on page 379. By irreparable injury is meant injury which is substantial or injury which cannot be possibly repaired. VICTORY MERCHANT BANK LTD. V. PELFACO LTD. (1993) 9 N.W.L.R. (Pt. 317) 340, on pages 355. In the instant case, the applicant has shown in paragraphs 2, 3, 7, 8, 9, 12,13,14,15,16,21,23,24,26,27, 28 and 29 of the affidavit in support of the motion that he will suffer irreparable damage if the respondents are not restrained from threatening or continuing to threaten the fundamental and other rights of the applicant. Matters should be kept in status quo ante bellum. See ADEWALE BELLO CONSTRUCTION CO. LTD. & ANOR. V. INTERNATIONAL BANK FOR WEST AFRICA LTD. (1991) 7 N. W.L.R. (Pt. 204) 498, on page 506, paragraphs F to G (per ACHIKE, J.C.A.).

#### 4.7 **SUBSTANTIAL OR SERIOUS ISSUES TO BE TRIED AT THE HEARING**

It was held by the Court of Appeal in ADEBAYO ADEFARATI V. GOVERNOR OF ONDO STATE & 8 ORS. (2006) 1 N.W.L.R. (Pt. 960) 145, on page 156, paragraphs G to H (per his Lordship, AMAIZU, delivering the leading Ruling), thus:-

"What is required at this stage is not for the applicant to make out a case as he would do on the merits, it being sufficient, that he should establish that there is a substantial issue to be tried at the hearing."

It was held in REGISTERED TRUSTEES OF P.C.N. V. REGISTERED TRUSTEES OF A.S.N. (2000) 5 N. W.L.R. (Pt. 657) 368, on page 378, that the applicant is only required to show that his case is not frivolous or vexatious and that there is a serious question to be tried In OBEYA MEMORIAL HOSPITAL V. ATTORNEY-GENERAL OF THE FEDERATION (1987) 2 N.S.C.C. 961, on page 968; (1987) 3 N.W.L.R. (Pt. 60) 325, the Supreme Court of Nigeria held thus:-

"It is not part of the court's function at this stage of the litigation to try to resolve conflicts of evidence on affidavit as to facts on which the claims of either party may ultimately depend nor to decide difficult questions of law which call for detailed argument and mature considerations. These are matters to be dealt with at the trial."

Looking at the facts stated in the affidavit in support of the Originating Summons, the reliefs sought and the questions for determination (of which this court is entitled to look at and take cognizance of their contents on the authorities of section 122(m) of the Evidence Act, 2011, CHIEF RAPHAEL ONWUKA V. LUKUMAN OWOLEWA (2001) 7 N.W.L.R. (Pt. 713) 695, on page 714, paragraph H; HALSBURY'S LAWS OF ENGLAND Vol. 16, 3rd Edition, page 335, paragraph 609; THE STATE V. ADAIDU AKAA (200) 10 N.W.L.R. (Pt. 774) 157, on page 173, paragraph F, and the facts contained in paragraphs 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 of the affidavit in support of the instant motion, it cannot be denied that they raise substantial issues to be tried at the hearing of this case.

#### 4.8 **BALANCE OF CONVENIENCE**

This simply require the court to ascertain if more justice will result in granting the application than in refusing it. In the instant application, ample affidavit evidence is available in paragraphs 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and

28 of the affidavit in support of the motion which convincingly show that it is in the interest of justice to grant this application. It will be oppressive, unfair, and unjust to allow the respondents to arrest, detain, suspend or remove the applicant from his said offices without following the proper procedure for exercising disciplinary control over a Bishop and Archbishop.

#### **4.9 UNDERTAKING AS TO DAMAGES**

This was given in paragraph 30 of the applicant's affidavit in support of the motion.

#### **4.10 WHAT IS THE STATUS QUO TO BE MAINTAINED?**

The status quo to be maintained is status quo ante bellum, that is, the state of affairs that was in existence before the 1st defendant acting in collaboration with the 2nd defendant threatened to suspend and remove the applicant from his offices as Archbishop of the Province of the Niger and Bishop of the Diocese of Awka (Anglican Communion) without following the procedure for exercising disciplinary control over him

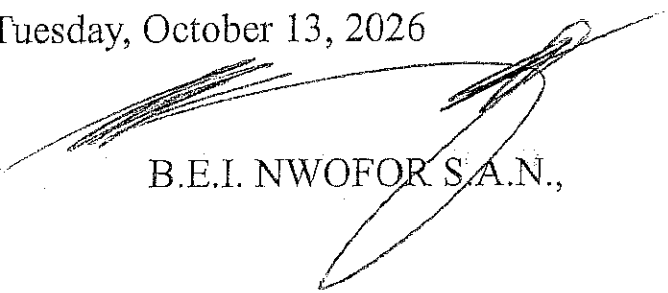
4.11 In the light of the foregoing submissions, the sole issue for determination, formulated above, should be resolved in the affirmative. The application should be granted.

#### **E. CONCLUSION**

5.0 The applicant has satisfied all the principles of law governing the grant of an application for interlocutory injunction. Your Lordship is, respectfully, urged, to grant the application, as prayed.

May it please your Lordship.

Dated at Port Harcourt on Tuesday, October 13, 2026



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