

FINANCIAL PROTECTION CANON 1995

Canon 16, 1995 as amended by
Canon 04, 2007
Canon 02, 2014

A canon to assist in the responsible financial management of the Church and its associated organisations.

The General Synod prescribes as follows:

- 1 This canon may be cited as the "Financial Protection Canon 1995".
- 2¹ In this canon, "Organisation" means an entity within the meaning of Australian Accounting Standards which is established or governed by a resolution or a canon of the General Synod that the Standing Committee by resolution certifies to be an organisation to which this canon applies.
- 3²
 - (1) An Organisation must, in respect of any period determined by the Standing Committee, submit to the Standing Committee a report on its financial affairs and operations in a form prescribed from time to time by the Standing Committee.
 - (2) The report must contain such financial or other information as the Standing Committee may prescribe from time to time.
 - (3) Without limitation, the report to be prescribed by the Standing Committee may include audited financial statements or other information that may be reasonably required by the Standing Committee in relation to any audit that has been undertaken or from an auditor of such financial statements.
 - (4) A report required under this section must be submitted to the Standing Committee by a date determined by the Standing Committee (being a date that allows the relevant organisation a reasonable period within which to prepare and submit the report under this section).
 - (5) The Standing Committee may, on the receipt of a report under this section, provide the report to a person or body nominated by the Standing Committee for review and the provision of any comments or report to the Standing Committee
 - (6) The Standing Committee will, in its Report to each session of General Synod, include a list of the organisations which have been required to

¹ Section 2 amended by Canon 04, 2007.

² Section 3 amended and new words added by Canon 04, 2007. Section 3 repealed and new section substituted by Canon 02 2014.

submit a report under this section and include such comments or report as the Standing Committee considers appropriate.

- 4 An Organisation shall maintain such financial procedures and controls as are prescribed by the Standing Committee from time to time.
- 5³ The Primate or Standing Committee (on sufficient cause being demonstrated) may appoint a person or body to review the management and financial affairs of an Organisation and report on such a review to the Standing Committee.
- 6⁴ An Organisation in respect of which an appointment under section 5 is made shall co-operate fully with the person or body appointed and disclose a true full and fair account of its activities to such person or body.
- 7⁵ The Standing Committee may by resolution request any Organisation to supply to the General Secretary or another body nominated by the Standing Committee, any information relating to the financial affairs of the Organisation that the Standing Committee in its absolute discretion considers necessary to obtain.
- 8 An Organisation to whom the Standing Committee makes a request pursuant to section 7 shall comply with that request to the best of its ability within the time specified in the request or, if no time is specified within 14 days of receipt of a notice of such request signed by the Primate or the General Secretary. A request shall be considered as received when it is served on the Chairman, Secretary or Chief Executive Officer of the Organisation whichever first occurs.
- 9⁶ Should an Organisation not fully co-operate with the person or body appointed under section 5 or comply with a request under section 7 within the relevant time the Treasurer of General Synod or a person or body authorised in writing by the Treasurer of General Synod is hereby authorised to obtain all information about the financial affairs of the Organisation from its bankers, accountants, auditors and solicitors as such Treasurer, person or body may reasonably require, and such Organisation shall be taken to have waived any privilege or obligation or confidentiality that would otherwise operate to prevent the disclosure of such information.
- 10⁷ It is not a breach of the duty of confidentiality owed by the member of a board or an employee of an Organisation to disclose information, including documents, relating to the financial affairs of an Organisation to the Primate, General Secretary or Treasurer of General Synod, or to a person or body appointed under this Canon if that person considers that such information is important to be in the possession of the General Synod's Officers for the good of this Church as a whole.

3 Amended by Canon 02 2014.

4 Amended by Canon 02 2014.

5 Amended by Canon 02 2014.

6 Amended by Canon 02 2014.

7 Amended by Canon 02 2014.

- 11^s Any information received by the Primate, General Secretary or Treasurer of General Synod, or by another person or body acting under this Canon, may be provided to the Standing Committee and its duly authorised officers without breach of any duty of confidentiality.
- 12 In this canon, "Financial Affairs" means any activity of an Organisation which may reasonably be considered may affect the finances of the General Synod or of the Organisation or the name and reputation of this Church.
- 13 Any provision in any other canon inconsistent with the provision of this canon shall give way to the provisions of this canon.
