

OFFENCES CANON 1962

Canon 4, 1962 as amended by
Canon 7, 1981
Canon 12, 1992
Canon 20, 1998
Canon 05, 2007
Canon 7, 2017

A canon to specify offences under sections 54, 55 & 56 of the Constitution.

The General Synod prescribes as follows:

- 1.¹ A diocesan tribunal and a provincial tribunal in its original jurisdiction in addition to their respective powers under section 54(2) and section 55(3) of the Constitution may hear and determine charges made in respect of the following offences alleged to have been committed by a person who, at the time the charge is preferred, is licensed by the bishop of the diocese or is in holy orders resident in the diocese:
1. Unchastity.
 2. Drunkenness.
 3. Habitual and wilful neglect of ministerial duty after written admonition in respect thereof by the bishop of the diocese.
 4. Wilful failure to pay just debts.
 5. Conduct, whenever occurring,
 - (a) which would be disgraceful if committed by a member of the clergy, and
 - (b) which at the time the charge is preferred is productive, or if known publicly would be productive, of scandal or evil report.
 6. Any other offence prescribed by an ordinance of the synod of the diocese.
- 7.² Child abuse.
- 8.³ Failure without reasonable excuse to comply with the laws of the Commonwealth or a State or Territory requiring the reporting of child abuse to the police or other authority.

¹ Amended by Canon 7, 1981; amended by Canon 20, 1998.

² Added by Canon 7, 2017

³ Added by Canon 7, 2017

2.⁴ The Special Tribunal in addition to its powers under section 56(6) of the constitution may hear and determine charges against any person referred to in paragraphs (a) and (b) of section 56(6) of the constitution made in respect of the following offences:

1. Unchastity.
2. Drunkenness.
3. Wilful failure to pay just debts.
4. Conduct, whenever occurring,
 - (a) which would be disgraceful if committed by a member of the clergy, and
 - (b) which at the time the charge is preferred is productive, or if known publicly would be productive, of scandal or evil report.
5. Wilful violation of the constitution or of the canons made thereunder or of the ordinances of provincial synod or of his diocesan synod.
6. Any conduct involving wilful and habitual disregard of his consecration vows.
- 7.⁵ Child abuse.
- 8.⁶ Failure without reasonable excuse to comply with the laws of the Commonwealth or a State or Territory requiring the reporting of child abuse to the police or other authority.
- 9.⁷ Failure to comply with a direction of the Episcopal Standards Board established under the Episcopal Standards Canon 2007 or the Episcopal Standards (Child Protection) Canon 2017 or any other Board established under an ordinance of a provincial synod or diocesan synod for dealing with the fitness of a bishop to hold office or to be or remain in Holy Orders.

2A.⁸ The Special Tribunal may hear and determine charges against any person referred to in paragraph (c) of section 56(6) of the Constitution made in respect of the following offences committed while a member of the House of Bishops or assistant to the Primate:

⁴ Amended by Canon 7, 1981; sub-section (2) repealed by Canon 12, 1992, amended by Canon 20, 1998; further amended by Canon 05, 2007, amended by Canon 7, 2017.

⁵ Added by Canon 7, 2017

⁶ Added by Canon 7, 2017

⁷ Added by Canon 7, 2017

⁸ Added by Canon 7, 2017

1. Wilful violation of the constitution or of the canons made thereunder or of the ordinances of provincial synod or of the bishop's diocesan synod relating to child abuse.
 2. Child abuse.
 3. Failure without reasonable excuse to comply with the laws of the Commonwealth or a State or Territory requiring the reporting of child abuse to the police or other authority.
 4. Conduct relating to child abuse (whenever the child abuse occurred),
 - (a) which would be disgraceful if committed by a member of the clergy, and
 - (b) which at the time the charge is preferred is productive, or if known publicly would be productive, of scandal or evil report.
- 2B.⁹ In this canon, unless the context otherwise requires, **child abuse** has the same meaning as in the National Register Canon 2007.
3. This canon may be cited as the "Offences Canon 1962".
 - 4.¹⁰ The offences added to this canon by the Offences Amendment Canon 2017 apply to conduct committed after the date the Offences Amendment Canon 2017 was passed by the General Synod.

⁹ Added by Canon 7, 2017
¹⁰ Added by Canon 7, 2017