



The Anglican Church of Australia

GENERAL SYNOD

ABN 90 767 330 931

Media Release

The Appellate Tribunal hands down its Determination Regarding Constitutional Questions about The Special Tribunal Canon 2004 & the National Register Canon 2004

Embargoed until 16th April, 2007.

The General Secretary of the General Synod of The Anglican Church of Australia, The Reverend Canon Bruce McAteer has advised that the Primate, The Most Reverend Dr Phillip Aspinall, has released the determination of the Appellate Tribunal in relation to constitutional questions concerning the *Special Tribunal Canon 2004* and the *National Register Canon 2004*.

Both the Diocese of Sydney and the Diocese of Wangaratta maintained that the *Special Tribunal Canon* affected the good order and government of the church within those Dioceses. The Tribunal determined that the Canon did affect the good order and government of the Church in The Dioceses of Sydney and Wangaratta.

The Tribunal, in response to a question raised by the Diocese of Wangaratta, and the Provincial Council of the Province of Victoria, determined that the Canon is precluded by proviso (a) to Section 30 of the Constitution of the Anglican Church of Australia from coming into force in a diocese unless and until the diocese by ordinance adopts it.

This means that the Canon has no force in a Diocese unless it is adopted by ordinance or canon.

The Special Tribunal Canon of 2004 replaced a previous canon which covered similar matters, and is concerned with breaches of faith, ritual, ceremonial or discipline and other offences as may be specified by canon and which may be brought against a diocesan bishop.

The Tribunal was also asked by the Diocese of Sydney to determine whether or not the *National Register Canon 2004* affected the good order and government of the church within that Diocese. The Tribunal determined that the Canon did not affect the good order and government within that Diocese. Therefore, the Canon will apply in all dioceses irrespective of whether or not they have adopted the Canon. This Canon enables the National Church to establish and maintain a register of clergy and lay church workers against whom allegations of child abuse and adult sexual abuse have been made.

A copy of the Determination and supporting documents can be downloaded from the General Synod Website at: <http://www.anglican.org.au/docs/AT2007-4April30dec.pdf>

The General Secretary is available for comment and briefing and can be contacted on: 02 8267 2701, or Mobile 0417 229 296

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