ANGLICAN CHURCH OF AUSTRALIA



The Constitution, Canons and Rules of General Synod

2026

THE CONSTITUTION, CANONS AND RULES

OF THE

ANGLICAN CHURCH OF AUSTRALIA

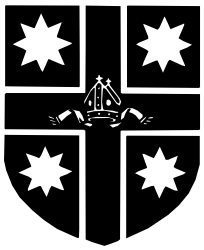
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2026



The Standing Committee of the General Synod
of the Anglican Church of Australia

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PREFACE

This volume is the thirteenth edition of *The Constitution, Canons and Rules of the Anglican Church of Australia* which has become known as "the Green Book".

The primary purpose of the Green Book is to provide ready access to current consolidated versions of the Constitution of the Anglican Church of Australia, General Synod canons and rules. It also contains some historical material. This edition incorporates amendments passed up to and including the Nineteenth Session of General Synod held in Melbourne from 9 to 14 August 2026.

The book is arranged into four distinct parts.

Part 1 contains the consolidated Constitution; notes on the Constitution with tables of alterations which have come into effect and which have not come into effect; and the text of canons to alter the Constitution which have not yet come into effect.

Part 2 comprises consolidated canons arranged in alphabetical order and the text of canons that alter other canons that have not yet come into effect. (As in the past, an appendix provides a chronological list of canons.) Repealed canons have been excluded. The Protocols to the National Register Canon have also been included immediately following the National Register Canon 2007. For the first time it also includes a separate section for Bills and Canons not yet in force.

Part 3 sets out rules made by the General Synod.

Part 4 contains a number of tables of historical material:

Appendix A – a chronological table of all bills and provisional canons passed by the General Synod since 1962.

Appendix B – a table of all canons of the General Synod dealing with the Constitutions and Canons Ecclesiastical agreed upon by the Bishops and Clergy of the Province of Canterbury in the year of our Lord 1603 and known as The Canons of 1603.

Appendix C – a chronological table of all rules passed by the General Synod since 1962.

Appendix D – determinations made by the General Synod before 1962 which may have effect in certain dioceses.

Legislation of the General Synod, in the form in which it was passed, has been published in the Proceedings of each session of the Synod.

Information on legislation is also available on the General Synod website: www.anglican.org.au.

Electronic versions of the current, consolidated canons and rules can be downloaded from the Governance section of the website.

The next edition will be published after the Twentieth Session of General Synod.

Juliet Wenden
GENERAL SECRETARY

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PART 1

THE CONSTITUTION

OF THE

ANGLICAN CHURCH OF AUSTRALIA

THE CONSTITUTION OF THE ANGLICAN CHURCH OF AUSTRALIA [1]

PART I

CHAPTER I. - FUNDAMENTAL DECLARATIONS

1. The Anglican Church of Australia,[2] being a part of the One Holy Catholic and Apostolic Church of Christ, holds the Christian Faith as professed by the Church of Christ from primitive times and in particular as set forth in the creeds known as the Nicene Creed and the Apostles' Creed.

2. This Church receives all the canonical scriptures of the Old and New Testaments as being the ultimate rule and standard of faith given by inspiration of God and containing all things necessary for salvation.

3. This Church will ever obey the commands of Christ, teach His doctrine, administer His sacraments of Holy Baptism and Holy Communion, follow and uphold His discipline and preserve the three orders of bishops, priests and deacons in the sacred ministry.

CHAPTER II. - RULING PRINCIPLES

4. This Church, being derived from the Church of England, retains and approves the doctrine and principles of the Church of England embodied in the Book of Common Prayer together with the Form and Manner of Making Ordaining and Consecrating of Bishops, Priests and Deacons and in the Articles of Religion sometimes called the Thirty-nine Articles but has plenary authority at its own discretion to make statements as to the faith ritual ceremonial or discipline of this Church and to order its forms of worship and rules of discipline and to alter or revise such statements, forms and rules, provided that all such statements, forms, rules or alteration or revision thereof are consistent with the Fundamental Declarations contained herein and are made as prescribed by this Constitution. Provided, and it is hereby further declared, that the above-named Book of Common Prayer, together with the Thirty-nine Articles, be regarded as the authorised standard of worship and doctrine in this Church, and no alteration in or permitted variations from the services or Articles therein contained shall contravene any principle of doctrine or worship laid down in such standard.

   Provided further that until other order be taken by canon made in accordance with this Constitution, a bishop of a diocese may, at his discretion, permit such deviations from the existing order of service, not contravening any principle of doctrine or worship as aforesaid, as shall be submitted to him by the incumbent and churchwardens of a parish.

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1 The change of name from Church of England in Australia was made by Canon 16, 1966 which came into effect on 24 August 1981, following enactments by the Parliaments of all States and Territories.

2 See Note 1 above.

Provided also that no such request shall be preferred to the bishop of a diocese until the incumbent and a majority of the parishioners present and voting at a meeting of parishioners, duly convened for the purpose, shall signify assent to such proposed deviations. Such meeting shall be duly convened by writing, placed in a prominent position at each entrance to the church and by announcement at the morning and evening services, or at the service if only one, at least two Sundays before such meeting, stating the time and place of such meeting, and giving full particulars of the nature of the proposed deviation.

5. Subject to the Fundamental Declarations and the provisions of this chapter this Church has plenary authority and power to make canons, ordinances and rules for the order and good government of the Church, and to administer the affairs thereof. Such authority and power may be exercised by the several synods and tribunals in accordance with the provisions of this Constitution.

6. This Church will remain and be in communion with the Church of England in England and with churches in communion therewith so long as communion is consistent with the Fundamental Declarations contained in this Constitution.

PART II

THE GOVERNMENT OF THE CHURCH

CHAPTER III. - OF THE BISHOPS

7. A diocese shall in accordance with the historic custom of the One Holy Catholic and Apostolic Church continue to be the unit of organisation of this Church and shall be the see of a bishop.

8. There shall be a bishop of each diocese who shall be elected as may be prescribed by or under the constitution of the diocese, provided that the election shall as to the canonical fitness of the person elected be subject to confirmation as prescribed by ordinance of the provincial synod, or if the diocese is not part of a province then as prescribed by canon of General Synod.

   During any vacancy in the office or incapacity of the bishop of any diocese or during his absence from the diocese for a period exceeding thirty days the authorities powers rights and duties conferred or imposed on him by this constitution shall be exercised by the person appointed by or under the constitution of the diocese to administer the affairs of the diocese.

   General Synod may by canon confer upon a bishop of a diocese the title of Archbishop provided that such canon shall be carried by an affirmative vote of at least two-thirds of the members of each house and shall receive the approval of all the metropolitans.

9. There shall be a Metropolitan (to be called Archbishop) of each province of this Church who shall hold office as prescribed by any Act of Parliament or by the constitution of the province or by ordinance of the provincial synod.

During any vacancy in the office or incapacity of the metropolitan of any province, or during his absence from the province for a period exceeding thirty days the authorities powers rights and duties of the metropolitan under this Constitution shall be exercised by the senior diocesan bishop of the province at the time in the province able and willing to act, seniority being determined by the date of consecration.

10. There shall be a Primate of this Church who shall be elected and hold office as may be prescribed by canon of the General Synod.

[3]A Primate who is not also a metropolitan has the same title as a metropolitan. The title shall confer no rights, powers or jurisdiction.

During any vacancy in the office or incapacity of the Primate or during his absence from Australia for a period exceeding thirty days, the authorities powers rights and duties of the Primate under this Constitution shall be exercised by the Senior Metropolitan at the time in Australia able and willing to act, or if there is no metropolitan able and willing to act, then by the senior diocesan bishop at the time in Australia able and willing to act, seniority in every case being determined by the date of consecration.

11.[4] The members of the House of Bishops may apart from their meetings as a House of Bishops of the General Synod meet from time to time for the discharge of the functions assigned to a meeting of them under this Constitution.

12. Such a meeting of the said bishops shall be convened by the Primate on his own initiative or at the request in writing of not less than one-third of the bishops, and shall have power to regulate its own business.

13. The presence of at least one-half of the said bishops shall be necessary to constitute such a meeting of the bishops for the discharge of its functions under this Constitution.

14. A certificate signed by the Primate or metropolitan or bishop presiding in the absence of the Primate and purporting to state a decision of such a meeting of the bishops or the votes of individual bishops shall be evidence of the matters so stated.

CHAPTER IV. - OF GENERAL SYNOD

COMPOSITION AND PROCEDURE

15. General Synod shall consist of the House of Bishops, the House of Clergy and the House of Laity.

The three houses shall sit together in full Synod and shall deliberate and transact business therein and shall vote together unless a vote by houses is required by not less than five members of the House of Bishops or by ten members of the House of Clergy, or by ten members of the House of Laity.

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3 Added by Canon 6, 1989 and Bill 3, 1989 which came into effect on 29 January 2027.

4 Amended by Canon 16, 1998 which came into effect on 1 March 2000.

In the event of a vote by houses being required, all questions shall be put first to the House of Laity, then to the House of Clergy, and finally to the House of Bishops and no question shall be deemed to be resolved in the affirmative by General Synod unless it is so resolved by a vote of the majority of those present in each of the three houses.

A house by a majority of its members voting may decide to consider separately any matter in debate whereupon further discussion of the matter shall be postponed until there has been an opportunity of separate consideration.

The person who holds office as General Secretary or Treasurer of the General Synod shall be entitled to attend the meetings of the General Synod and shall be entitled to propose motions and speak. However, unless such a person is otherwise a member of the General Synod, that person shall not be permitted to vote nor to be counted in a quorum.[5]

16.[6] The House of Bishops shall be composed of the Primate, metropolitans, the diocesan bishops and any bishop who becomes a member of General Synod pursuant to the provisions of subsection 17(8)(a)(i).

17.[7] (1) The House of Clergy shall be composed of clerical representatives of each diocese and any bishop, priest or deacon who becomes a member of General Synod pursuant to the provisions of Section 17(8)(a)(ii).

(2) The House of Laity shall be composed of lay representatives of each diocese and any lay person who becomes a member of General Synod pursuant to the provisions of Section 17(8).

(3) Clerical and lay representatives of a diocese shall be elected or appointed, and any vacancy in the place of a representative shall be filled at such time and in such a manner as may be prescribed by or under the constitution of the diocese.

(4) The number of representatives of a diocese shall be determined in accordance with the table annexed to this Constitution and shall be so determined on or as at each date on which the Primate shall sign and seal a mandate summoning the diocesan bishops to convene representatives to an ordinary session or a special session of the General Synod and shall remain fixed until the next such date.[8]

(5) Every bishop priest or deacon[9] shall be qualified to be a clerical representative of a diocese if he is resident therein at the date of his appointment and holds a licence from the diocesan bishop, provided however that the qualification

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5 Paragraph inserted by Canon 17, 1995 which came into effect on 17 September, 1997.

6 Amended by Canon 16, 1998 which came into effect on 1 March 2000.

7 "Whereas the General Synod recognises the unique historical status of the Aboriginal and Torres Strait Island people, and hence also, the unique relationship between indigenous and non-indigenous people, both within and without the Anglican Church of Australia." In accordance with Resolution 59/98 of General Synod, the Preamble to Canon 16, 1998 is printed here. S.17 was amended by this Canon which came into effect on 1 March 2000.

8 Words added by Canon 13, 1992 which came into effect on 25 June 1995.

9 Words "or deacon" added by Canon 22, 1985 and Bill 2, 1985 which came into effect on 1 July 1988.

of residence in the diocese shall not be necessary in the case of[10] a diocese having less than thirty-one clergymen resident and duly licensed to officiate therein.

(6) Every layman who is not under the age of eighteen[11] years and is a communicant of this Church shall be qualified to be a lay representative of a diocese, whether he does or does not reside therein.

(7) The bishop of each diocese shall certify and transmit to the Primate a list of names and addresses of the clerical and lay representatives of the diocese.

In the event of any change in the representation of a diocese the bishop shall certify and transmit to the Primate a supplementary list showing the change.

Any list or supplementary list so certified shall be evidence that a representative therein named is entitled to be such representative unless a subsequent list shows that he has ceased to be a representative.

(8)[12] (a) For every session of Synod the members of Synod shall include non-diocesan representatives being

(i) an Aboriginal bishop and a Torres Strait Islander bishop who shall be members of the House of Bishops;

(ii) an Aboriginal bishop, priest or deacon and a Torres Strait Islander bishop, priest or deacon who shall be members of the House of Clergy; and

(iii) an Aboriginal lay person and a Torres Strait Islander lay person who shall be members of the House of Laity.

(b) Non-diocesan representatives shall be appointed by the Primate on the recommendation of the body appointed by Canon for that purpose.

(c) The Primate shall cause non-diocesan representatives to be summoned or convened to a session of Synod as may be specified by Canon.

(d) A non-diocesan representative must be a communicant member of this Church who is otherwise qualified as may be specified by Canon.

(e) A non-diocesan representative shall be entitled to such vote in Synod as is permitted or authorised by the Constitution but such vote shall not be counted for the purpose of determining whether a canon or resolution has been assented to by a majority of all dioceses.

18. General Synod in such manner as it may deem proper may determine whether any person who claims to be a member of the Synod or of any house is entitled to be a

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10 Words deleted by Schedule Three of Canon 14, 1992 which came into effect on 31 July 1995.

11 Word "eighteen" substituted for "twenty-one" by Schedule One of Canon 14, 1992 which came into effect on 25 June 1995.

12 S.17(8) added by Canon 16, 1998 which came into effect on 1 March 2000.

member thereof and whether he has been duly and lawfully elected appointed or summoned to the Synod.

19. (1) General Synod may proceed to the despatch of business notwithstanding the failure of any diocese to provide for its representation in the Synod and notwithstanding any failure to elect or appoint any non-diocesan representatives of Synod and notwithstanding a vacancy in the office of Primate or a metropolitan or a diocesan bishop.[13]

(2) No canon rule act or exercise of power of General Synod shall be vitiated by reason only of the fact that any person to be elected appointed or summoned to the Synod has not been elected appointed or summoned, or by reason only of any informality with respect of the election appointing or summoning.

20. The Primate or in his absence the Senior Metropolitan present, or if there is no metropolitan present, the senior diocesan bishop present shall be President of the House of Bishops and of General Synod, seniority in every case being determined by the date of consecration.

The President may take part in any discussion and vote on any question.

The President of the House of Bishops and of General Synod may, at any time during a meeting of that house, or of General Synod, call upon a metropolitan, or if there is no metropolitan present, the senior diocesan bishop present to preside, temporarily, at the meeting, whether or not the President is present at the meeting.[14]

21. Until General Synod otherwise prescribes the presence of at least seven members of the House of Bishops and at least fifteen members of the House of Clergy representing not less than seven dioceses and of at least fifteen members of the House of Laity representing not less than seven dioceses shall be necessary to constitute a meeting of General Synod for the exercise of its powers.

22. At each session of Synod the House of Clergy and the House of Laity shall elect its own chairman and such other officers as it considers necessary.

13 Words added by Canon 16, 1998 which came into effect on 1 March 2000.

14 Paragraph added by Canon 8, 1989 and Bill 4, 1989 which came into effect on 24 August 1989.

SESSIONS

23.[15] Until General Synod by canon otherwise prescribes:-

(a) Ordinary sessions of Synod shall be held at intervals not exceeding four years, and at such time and place as Synod may by resolution appoint or failing any such resolution then as the Standing Committee of Synod may by resolution appoint provided that the Standing Committee of Synod may on grounds of emergency or other special grounds by resolution defer the summoning of Synod for a period exceeding four years from the previous Synod but not exceeding twelve months from the date of such resolution and may do so from time to time provided further that Synod shall meet at least once in every six years.

(b) A special session of Synod shall be convened by the Primate at the request in writing of not less than one-half of the members of the House of Bishops or of one-third of the members of the House of Clergy or of one-third of the members of the House of Laity or upon a resolution of the Standing Committee.

Each request made by members of the House of Bishops, of the House of Clergy or of the House of Laity as aforesaid shall have attached thereto or incorporated therein the bills for canons, rules, statements and resolutions and specify any other business which those who make the request require the synod to consider at such special session.

(c) At least four months before the time for any ordinary or special session of Synod the Primate shall by mandate under his hand and seal (bearing the date on which the mandate was signed and sealed, as aforesaid) summon the diocesan bishops, and require them to convene the prescribed number of clerical and lay representatives of their respective dioceses at the appointed time and place.

(d) The procedure and powers of Synod in a special and an ordinary session shall be the same, provided that in a special session no business other than the business specified in the mandate the conduct of such business and matters of procedure shall be transacted.

(e) The mandate for a special session shall:

(i) be accompanied by a copy of the bills for canons, rules, statements and resolutions and specify any other business attached to or incorporated in the request for such special session, and

(ii) be accompanied by a schedule listing such business which the Primate or the Standing Committee decide should be considered at the special session.

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15 Words added to paragraphs (b), (c) and (d), and paragraph (e) inserted by Canon 13, 1992 which came into effect on 25 June 1995.

RECORDS AND SEAL

24. The proceedings of General Synod shall be duly recorded and be authenticated by the signature of the President.

Every canon of General Synod shall be printed in duplicate, and each duplicate shall be certified as correct by the President, the chairman of committees and the secretaries of the Synod, authenticated by the official seal, and filed in books.

25. (1) General Synod shall have an official seal, which shall be judicially noted.

The seal shall not be used to authenticate any canon rule resolution instrument or document or any copy thereof except upon a resolution of Synod or of the Standing Committee of Synod and by and in the presence of at least three members of the said Committee.

(2) Any canon rule resolution instrument or document authenticated by the official seal shall be admissible in evidence without further proof.

A document purporting to be a copy of any canon rule or resolution so authenticated and purporting to be certified by at least three members of the Standing Committee as a true copy shall be evidence of the canon rule or resolution and be admissible in evidence without further proof.

CHAPTER V. - OF THE POWERS OF GENERAL SYNOD

26. Subject to the terms of this Constitution Synod may make canons rules and resolutions relating to the order and good government of this Church including canons in respect of ritual, ceremonial and discipline and make statements as to the faith of this Church and declare its view on any matter affecting this Church or affecting spiritual, moral or social welfare, and may take such steps as may be necessary or expedient in furtherance of union with other Christian communions.

27.[16] (1) A canon shall be made by a bill passed by General Synod in accordance with the Synod's standing orders provided that -

(i) the bill shall have been circulated to each diocese and to each non-diocesan representative at least three months before the first day of the session of Synod at which the bill is to be presented, provided that the Standing Committee may allow a shorter period of notice but not less than one month and provided further that General Synod by an affirmative vote in each house of at least three-fourths of the members present may declare a bill to be a matter of urgency and permit it to be included in the agenda without previous notice,[17] and

(ii) a special bill shall follow the procedure prescribed in section 28.

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16 S.27 repealed and a new sec. 27 inserted by Canon 5, 1989 and Bill 2, 1989 which came into effect on 5 June 1995.

17 Words added by Canon 16, 1998 which came into effect on 1 March 2000.

(2) The authentication of a canon in accordance with section 24 is conclusive evidence that the requirements of this section have been complied with.

28.[18] (1) A bill (not being a bill for a canon to alter this Constitution) which deals with or concerns the ritual ceremonial or discipline of this Church shall follow the procedure of this section as a special bill unless, at any time before it votes on a motion that the bill do pass, Synod by votes of at least three-fourths of the members present in each house decides that it need not proceed as a special bill.

(2) In the case of any other bill (not being a bill for a canon to alter this Constitution) if, at any time before it votes on a motion that the bill do pass, not less than twenty-five members of General Synod petition the President that the bill should be treated as a special bill the President shall put to General Synod the motion that it be so treated and if General Synod so decides the bill shall be dealt with as a special bill.

(3) A special bill shall be dealt with as other bills are dealt with subject to the following qualifications -

(i) a motion that the bill do pass shall be deemed not to be agreed to unless it is agreed to by at least two-thirds of the members of each of the three houses present; upon such a motion being so agreed to the special bill shall stand as a canon provisionally made.

(ii) The provisional canon shall then be referred to the synod of each diocese for its consideration and each diocesan synod shall submit to the President within a period specified by canon or by the provisional canon its assent to or dissent from the provisional canon together with such report and recommendation as it may think fit.

(iii) If every diocesan synod reports that it assents to the provisional canon the President shall so declare and thereupon it shall be a canon duly passed otherwise the reports and recommendations received from the diocesan synods shall be presented to General Synod and the provisional canon shall be presented to the synod as if it were a bill.

(iv) If a subsequent motion that the bill do pass is agreed to by at least two-thirds of the members of each of the three houses present it shall be a canon duly passed unless General Synod, immediately before the vote is taken, by a majority of the three houses voting together shall resolve that it shall be a provisional canon only, whereupon the procedure given above shall again be followed.

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18 S.28 repealed and a new sec. 28 inserted by Canon 5, 1989 and Bill 2, 1989 which came into effect on 5 June 1995.

28A[19] (1) In this section "**bill**" does not include a bill for a canon to alter this Constitution or a bill which deals with or concerns the ritual ceremonial or discipline of this Church.

(2) Subject to subsection (3) in addition to the procedure in section 27 (1), a canon may be made by a bill sent by the Standing Committee to each diocesan synod and if at least 3/4 of the diocesan synods of this Church including all Metropolitan Sees assent to it by ordinance and if all such assents be in force at the same time, the General Secretary shall certify that fact to the Primate in writing, and on that date the canon shall come into force.

(3) A bill for a canon which would impose a financial liability on a diocese may be made in the manner provided by subsection (2) only if all diocesan synods of this Church assent to it by ordinance and such assents are in force at the same time.

(4) A diocesan synod of a diocese may, by ordinance:

(a) delegate its power to assent to a bill under subsection (2) and (3) to the diocesan council of the diocese, and

(b) permit the diocesan council to assent to the bill in exercise of such delegated authority by ordinance or resolution.

(5) An assent to a bill given by a diocesan council by ordinance or resolution pursuant to a delegated authority given under subsection (4) shall be as effectual as if the synod of the diocese had assented to the bill by ordinance.

29.[20] (1) For the purposes of this section -

(a) "Act" means a canon, provisional canon, rule, resolution or statement made by General Synod notwithstanding that the canon, the provisional canon, the rule, the resolution or the statement is or may be in whole or in part void; and

(b) "Proposal" means any proposal that General Synod make a canon or a rule or a statement or that General Synod pass a resolution, being a proposal of which notice has been given to the General Synod in accordance with any requirements applicable thereto (notwithstanding that consideration may or may not have been given to the proposal by General Synod) but does not include an Act.

(2) A reference under this section to the Appellate Tribunal may be made by -

(a) twenty-five members of the General Synod; or

(b) one third of the members of the House of Bishops; or

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19 Inserted by Canon 12, 2010 which came into effect on 1 July 2014.

20 S.29 repealed and a new sec. 29 inserted by Canon 1, 1987 and Bill 1, 1987 which came into effect on 1 July 1992.

(c) one third of the members of the House of Clergy; or

(d) one third of the members of the House of Laity; or

(e) the Primate.

(3) A reference under this section to the Appellate Tribunal shall:

(a) be in writing addressed to the President of the Appellate Tribunal;

(b) identify the Act or Proposal to which the reference relates;

(c) state the question which is or the questions which are to be considered by the Appellate Tribunal;

(d) be signed by the Primate or the other persons making the same; and

(e) except in the case of a reference by the Primate, be delivered to the Primate.

(4) The questions which may be stated in a reference under this Section to the Appellate Tribunal are:

Is any part of the Act or Proposal identified in the reference inconsistent with the Fundamental Declarations or the Ruling Principles?

Does any part of the Act or Proposal identified in the reference deal with or concern or affect the ritual ceremonial or discipline of this Church?

(5) If a reference is made under this section to the Appellate Tribunal in relation to a Proposal, the Proposal may become an Act thereafter but the Act shall have no effect prior to the date on which the Appellate Tribunal delivers to the Primate its answer to the question or questions in the reference.

(6) Subject to sub-section (7) the Appellate Tribunal shall:

(a) give its opinion or determination with respect to a reference made to it under this section;

(b) where a question is answered in the affirmative -

(i) incorporate in the answer particulars of each part of the Act or Proposal which caused the question to be so answered, and

(ii) where the question concerns inconsistency identify the part or parts of the Fundamental Declarations and Ruling Principles with which that part of the Act or Proposal is inconsistent;

(c) provide reasons for its decision; and

(d) deliver to the Primate its answers and the reasons for its decision.

(7) (a) The Appellate Tribunal shall in no case provide an answer in the negative except with the concurrence of at least four members, and where the question involves any question of faith ritual ceremonial or discipline shall not provide an answer in the negative except with the concurrence of at least two bishops and two lay members of the Tribunal; and

(b) if the Appellate Tribunal is unable to provide an answer to a question in either the affirmative or the negative the President shall so report to the Primate and advise him in writing of the reasons for that inability.

(8) The Appellate Tribunal may, with its answers and reasons:

(a) where it provides an answer in the affirmative, specify a change or changes to the Act or Proposal which, if adopted or incorporated therein, as the case may require, would permit a similar question or similar questions relating thereto to be answered in the negative, and

(b) add such comment or opinion as the members deem may be of value to the General Synod.

(9) Notwithstanding the provisions of sub-section (10) and sub-section (11) of this section and sub-section (2) of Section 73, a decision of the Appellate Tribunal given in an answer pursuant to this section shall be final.

(10) An Act which is inconsistent with the Fundamental Declarations and an Act, other than a canon to alter the Ruling Principles, which is inconsistent with the Ruling Principles shall to the extent of the inconsistency, be void.

(11) An Act which deals with concerns or affects the ritual ceremonial or discipline of this Church and which has not been made in accordance with the requirements of this Constitution shall, to the extent to which it so deals concerns or affects, be void.

30. Subject to sections 28A and 29[21] and unless the canon itself otherwise provides, a canon duly passed by General Synod shall come into force on and from a date appointed by the President, being not later than one calendar month from the date upon which the canon was passed. The canon as on and from the appointed date shall apply to every diocese of this Church and any ordinance of any diocesan synod inconsistent with the canon shall to the extent of the inconsistency have no effect.

Provided that:-

(a) Any canon affecting the ritual, ceremonial or discipline of this Church shall be deemed to affect the order and good government of the Church within a diocese, and shall not come into force in any diocese unless and until the diocese by ordinance adopts the said canon.

(b) If General Synod declares that the provisions of any other canon affect the order and good government of the Church within, or the church trust property of a diocese, such canon shall not come into force in any diocese unless and until the diocese by ordinance adopts the said canon.

[21] Inserted by Canon 12, 2010 which came into effect on 1 July 2014.

(c) If General Synod should not so declare the synod of a diocese or the diocesan council may declare its opinion that the provisions of the said canon affect the order and good government of the Church within or the church trust property of such diocese and notify the President within one month thereafter and then the following provisions shall apply:-

(i) If the said diocesan synod or council declare its opinion as aforesaid within a period of two years from the date of the passing of the said canon and the Standing Committee advises the President that it agrees with the said opinion the canon shall not and shall be deemed not to have come into force in such diocese unless and until it is adopted by ordinance of the diocesan synod;

(ii) If the said diocesan synod or council declare its opinion at any time after the expiration of the said period of two years and the Standing Committee advises the President that it agrees with the said opinion the said canon shall cease to apply to the said diocese as from the date of the said declaration and shall not after such date again come into force in such diocese unless and until it is adopted by ordinance of the diocesan synod;

(iii) If the Standing Committee in either case should not so advise the President he shall refer the question raised by the said opinion to the Appellate Tribunal for its determination and unless the Appellate Tribunal determines the question in the negative the canon shall be deemed not to have come into force in the said diocese in the first case or to have force or effect in the said diocese after the date of the said declaration in the second case until the diocesan synod by ordinance adopts the said canon.

(d) Any canon adopted as aforesaid by a diocesan synod may by ordinance be excluded at a subsequent date.

(e) This section shall not apply and shall be deemed never to have applied to a canon to alter this Constitution.[22]

31.[23] Repealed.

32.[24] (1) Synod shall not make any canon or rule imposing any financial liability on any diocese except in accordance with this section.

(2) Synod may by canon or rule provide for the costs charges and expenses in or in connection with -

(a) The carrying into effect of this Constitution;

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22 Proviso (e) added by Canon 22, 1985 which came into effect on 1 July 1988. No alteration to section 30 was made by Bill 2, 1985. The proviso was also added by Canon 1, 1987 and Bill 1, 1987 which came into effect on 1 July 1992.

23 S.31 repealed by Canon 1, 1987 and Bill 1, 1987 which came into effect on 1 July 1992.

24 S.32 substantially altered by Canon 2, 1989 and Bill 1, 1989 which came into effect on 23 August 1989.

(b) The holding of synod and the conduct of its business;

(b1) The implementation of and giving effect to any canon rule or resolution of Synod;

(c) The meetings and the conduct of the affairs of the Standing Committee and any other committee, board or commission established by Synod;

(d) The sittings of the Appellate Tribunal to hear and determine any appeal question or matter made or referred to it and the sittings of the Special Tribunal to hear and determine any charge brought before it;

(e) The maintenance of the registry of the Primate, and primatial travelling expenses;

(f) The election or appointment of the corporate trustees and the administration of the affairs of the body corporate.

Provided that in respect of the calendar year next following an ordinary session of Synod such canon or rule shall not impose any financial liability on the dioceses pursuant to paragraphs (a), (b1), (c) and (e) which in the aggregate exceeds an estimate of the costs charges and expenses for that year in connection with those matters approved by Synod.

(3) Notwithstanding subsection (2), Synod may make any canon or rule imposing a financial liability on any diocese of this church in respect of matters not included in subsection (2) but such liability shall only be incurred by that diocese if by ordinance it assents to the same.

(4) Subject to this section, Synod may by canon or rule provide for the levying of assessments on dioceses of this Church, the method of calculating such assessments and their apportionment between the said dioceses.

(5) Subject to the provisions of any canon rule or resolution of Synod the Standing Committee is empowered to determine or approve the amounts to be expended in respect of any of the matters for which Synod may, in accordance with this section, impose a financial liability on a diocese.

33. (1) General Synod may make rules prescribing anything necessary or convenient for carrying out and giving effect to any canon or for controlling and regulating the administration of its affairs, and in particular may make rules prescribing -

(a) The procedure for any election or appointment to be made by or under the authority of Synod to any office;

(b) The authorities powers rights and duties of any officer committee board or commission of Synod.

A rule shall be made by resolution after notice has been duly given in accordance with the standing orders.

(2) General Synod may regulate the conduct of its business under standing orders or otherwise as it may deem proper.

CHAPTER VI. - COMMITTEES BOARDS AND COMMISSIONS

34. There shall be a Standing Committee of General Synod which shall consist of so many members not less than ten as may be prescribed by any rule of Synod.

The members of the Committee shall be elected or appointed and shall hold office as may be prescribed by any rule of the Synod.

The seal books and records of General Synod shall be in the care and control of the Standing Committee.

The functions, duties and powers of the Standing Committee shall be those prescribed by canon or rule of Synod (whether made before or after the commencement of this paragraph).[25]

35. General Synod shall appoint such boards of assessors as may be required for the purposes of this Constitution and may appoint any committee board or commission that it may deem proper for carrying out or giving effect to any canon rule or resolution of Synod, and the following provisions of this section shall apply to a board of assessors as well as to any such committee board or commission.

The power to appoint under this section may be exercised by the General Synod itself, or may be exercised by the Standing Committee.[26]

Unless otherwise provided by any canon or rule of Synod -

(a) The committee board or commission may include or consist of persons who are not members of Synod;

(b) The members of the committee board or commission shall be elected or appointed and shall hold office as may be determined by resolution of Synod but shall not, unless the resolution so provide, cease to be members of the committee board or commission by reason only of ceasing to be members of Synod;

(c) The committee board or commission shall have such powers and duties as may be conferred or imposed by resolution of Synod;

(d) The committee board or commission may, if Synod by resolution so directs, continue to exist and to exercise and perform its powers and duties, until the expiration of the first week of the next following ordinary session of Synod.

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25 Paragraph added by Canon 2, 1989 and Bill 1, 1989 which came into effect on 23 August 1989.

26 Sentence added by Canon 6, 1998 which came into effect on 1 March 1998.

CHAPTER VII - THE PROVINCES AND PROVINCIAL SYNODS

PROVINCES

36. A province of the Church of England in the Dioceses of Australia and Tasmania shall subject to this Constitution continue as at the date on which this Constitution takes effect, until altered in accordance therewith.

37. A new province may be formed by any four or more dioceses associating for that purpose, provided that the formation of the province is approved by ordinance of the diocesan synod of each of such dioceses, and ratified by canon of General Synod. Nevertheless General Synod may upon a petition preferred to it by less than four dioceses declare that such petitioning dioceses may proceed under this section and the same shall then apply to them accordingly.

38. A province may be altered in accordance with the constitution of the province either by an increase or by a decrease in the number of dioceses forming the province, provided that the alteration shall not take effect until ratified by canon of General Synod.

PROVINCIAL SYNODS

39. The constitution of each province of the Church of England in the dioceses of Australia and Tasmania shall subject to this Constitution continue as at the date on which this Constitution takes effect, until altered in accordance with the provisions of this Constitution.

40. The constitution of a new province may provide either for a provincial synod or for a provincial council, and in either case may contain such provisions as the diocesan synod of each of the dioceses to be included in the province may think fit, provided that the constitution shall not take effect until ratified by canon of the General Synod.

41. The constitution of a province may be altered in accordance therewith, or with the consent of all the dioceses of the province given by ordinance of the synod of each diocese, provided that the alteration shall not take effect until ratified by canon of General Synod.

    This section extends to altering the constitution of a province by substituting a provincial council for a provincial synod, or by substituting a provincial synod for a provincial council.

42. A provincial synod or a provincial council shall have such powers for the order and good government of this Church, within the province as may be prescribed by the constitution of the province.

CHAPTER VIII. - THE DIOCESES AND DIOCESAN SYNODS

DIOCESES

43. A diocese of the Church of England in Australia and Tasmania shall subject to this Constitution continue as at the date on which this Constitution takes effect, until altered in accordance therewith.

44. (1)[27] A new diocese may be formed in any of the following ways, that is to say -

(a) by separation of territory from a diocese;

(b) by the union of two or more dioceses or parts of dioceses.

(c) out of territory in Australia which is not part of any diocese, and either out of such territory alone or out of such territory together with any diocese or part of a diocese.

(2) Where a new diocese is formed by separation of territory from a diocese or by the union of two or more dioceses or parts of dioceses, the proposal to form the new diocese may be initiated by the diocese or dioceses concerned or by the province, if any, in which the diocese or dioceses are included but the new diocese shall not be formed unless such diocese or dioceses and province, if any, agree by ordinance of their respective synods that the new diocese shall be formed, and General Synod by canon ratify the formation of the new diocese.

(3) In any other case the proposal to form a new diocese may be initiated in General Synod, but where any diocese or part of a diocese is to be included, the new diocese shall not be formed unless the synod of the diocese and the synod of the province in which the diocese is included concur by ordinance and the new diocese shall be deemed to be formed as General Synod may by canon determine.

(4) Upon the formation of a new diocese any church trust property allocated to the new diocese by ordinance of the synod of any diocese concerned, and any church trust property allocated to the new diocese by canon of General Synod in any case where a diocese is not concerned, shall by virtue of the ordinance or canon, as the case may be, and without any other assurance in the law, be held by and be vested in the trustees then or thereafter appointed for the purpose and upon and subject to the trusts affecting the same, but for the use benefit and purposes of this Church within the new diocese.

45. (1) A diocese may by ordinance surrender the whole or any part of its territory to any other diocese, and that other diocese may by ordinance accept the territory so surrendered. Provided however a diocese which has been formed by the separation of territory from a diocese or dioceses shall not surrender such territory to any diocese other than the diocese from which the territory

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27 S.44(1) amended by Schedule Three of Canon 14, 1992 which came into effect on 31 July 1995.

was last separated without the consent of such last-mentioned diocese given by an ordinance of the synod thereof.

The surrender and acceptance may be made upon such terms and conditions, including the allocation of church trust property as may be agreed upon by ordinances made by the dioceses concerned.

(2) A diocese may by ordinance alter its boundaries so as to include territory which is not part of any diocese or so as to exclude territory otherwise than by surrender to another diocese.

(3) Any surrender or alteration under this section shall not take effect until ratified by or under canon of General Synod.

46. General Synod may by canon admit to the synod any diocese the territory of which is partly or wholly outside Australia and may upon such admission impose such terms and conditions, including the extent of representation in the House of Clergy and in the House of Laity, as the Synod thinks fit.

DIOCESAN SYNODS

47. The constitution of each diocese of the Church of England in Australia and Tasmania shall subject to this Constitution continue as at the date on which this Constitution takes effect, until altered in accordance therewith.

48. The constitution of a new diocese shall provide for the election or appointment of the first bishop of the diocese and shall contain such other provisions as may be deemed necessary or convenient, whether set forth expressly or adopted by reference to the provisions set forth in a canon of General Synod, or adopted by reference to the provisions of the constitution of any other diocese, and whether so adopted with or without modifications and additions.

The constitution of the new diocese shall not take effect until ratified by or under canon of General Synod.

49.[28] In a diocese in which less than ten priests are licensed if there be no diocesan synod and until General Synod by or under any canon otherwise prescribes there shall be a diocesan council with such constitution as General Synod thinks fit.

If in any diocese in which there is no provision for a synod the office of the bishop become vacant, the office shall be filled as prescribed by canon of General Synod, or if there is no such canon, then in accordance with the provisions under which the last election or appointment was made.

If in any diocese there is no synod or diocesan council the General Synod may by canon appoint a synod or council.

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28 S.49 amended by Schedule Three of Canon 14, 1992 which came into effect on 31 July 1995.

50. The constitution of a diocese may be altered in accordance therewith or as the synod of the diocese may by ordinance determine in accordance with any canon of General Synod.

51. Subject to this Constitution a diocesan synod may make ordinances for the order and good government of this Church within the diocese, in accordance with the powers in that behalf conferred upon it by the constitution of such diocese.

CONSENT OF DIOCESE TO ALTERATION

52. (1) Notwithstanding any provision to the contrary contained in this Constitution or anything done thereunder General Synod shall not without the assent by ordinance of the diocese concerned alter or permit the alteration of -

(a) The constitution or boundaries of a diocese or any of the powers rights or duties of the synod of a diocese or of any diocesan society council board agency or authority, including the powers rights and duties relating to church trust property and the rights of a diocese with regard to the election of its bishop;

(b) The qualifications or mode of election of the representatives of a diocese in General Synod;

(c) The status of any diocese as a metropolitan see or the title to or tenure of office of any metropolitan.

(2) Except with its own assent by ordinance no metropolitan see shall cease to be a metropolitan see or to have associated with it three dioceses.

CHAPTER IX. - THE TRIBUNALS

53. There shall be a diocesan tribunal of each diocese, the Special Tribunal and the Appellate Tribunal, and there may be a provincial tribunal of any province.

54. (1) [29] A diocesan tribunal shall be the court of the bishop and shall consist of a president appointed by the bishop and not less than two other members as may be prescribed by ordinance of the synod of the diocese.

The bishop is ineligible to be a member of the diocesan tribunal. A person who is a member of the diocesan tribunal shall cease to hold that office on becoming the bishop.

The president shall be a person qualified to be a lay member of the Appellate Tribunal in accordance with the provisions of section 57 (1) of this Constitution and will cease to hold office as prescribed by ordinance of the synod of the diocese. The members other than the president shall be elected in such manner, hold office for such period, have such qualifications and be

[29] Amended by Canon 4, 2014 which came into effect on 1 July 2019.

subject to such disqualifications, and vacancies shall occur and be filled in such manner, as may be prescribed by ordinance of the synod of the diocese.

In any province the provincial synod if so requested by the synod of a diocese may by ordinance of the provincial synod prescribe any matter directed or permitted by this section to be prescribed by ordinance of the synod of the diocese, provided that the synod of the diocese may at any time otherwise prescribe.

(2) A diocesan tribunal shall in respect of a person licensed by the bishop of the diocese, or any other person in holy orders resident in the diocese, have jurisdiction to hear and determine charges of breaches of faith ritual ceremonial or discipline and of such offences as may be specified by any canon ordinance or rule.

(2A)[30] A diocesan tribunal shall also have and always be deemed to have had jurisdiction to hear a charge relating to an offence of unchastity, an offence involving sexual misconduct or an offence relating to a conviction for a criminal offence that is punishable by imprisonment for twelve months or upwards in respect of a member of clergy if:-

(a) the act of the member of clergy which gave rise to the charge occurred in the diocese;

(b) the member of clergy was licensed by the bishop of the diocese or was resident in the diocese within two years before the charge was laid; or

(c) the member of clergy is in prison as a convicted person at the time the charge was laid, but within two years before such imprisonment was licensed by the bishop of the diocese or was ordinarily resident therein.

(2B) Where a person has been found guilty of an offence by a diocesan tribunal in the exercise of its jurisdiction under sub-section (2A), the bishop of the diocese shall consult as to penalty with the bishop of the diocese by whom the person is licensed or in which the person resides at the time of the finding and no penalty may be imposed to which the latter bishop does not express concurrence.

(3) A person appointed by the bishop of a diocese or any five adult communicant members of this Church resident within the diocese may promote a charge against any person licensed by the bishop of the diocese or against any other person in holy orders resident in the diocese in respect of breach of faith ritual or ceremonial either before the diocesan tribunal or before the provincial tribunal in its original jurisdiction. Provided that if a charge be preferred against an incumbent of a parish with reference to an offence alleged to have been committed within that parish the aforesaid communicants shall be bona fide parishioners of that parish.

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30 Sub-sections (2A) and (2B) added by Canon 10, 1998 as amended by Canon 8, 2001 both of which came into effect on 16 June 2003.

Provided further that before any charge relating to faith ritual or ceremonial be heard by the tribunal it shall be referred to a board of enquiry appointed by ordinance of the diocesan synod and may proceed to a hearing if the said board allows it as a charge proper to be heard.

(4) In matters involving any question of faith ritual ceremonial or discipline an appeal shall lie from the determination of a diocesan tribunal to the Appellate Tribunal, provided that in any province in which there is a provincial tribunal and an appeal thereto is permitted by ordinance of the diocesan synod, an appeal may lie in the first instance to the provincial tribunal, and provided that in any such case an appeal shall lie from the determination of the provincial tribunal to the Appellate Tribunal.

In other matters an appeal shall lie in such cases as may be permitted by ordinance of the diocesan synod from a determination of the diocesan tribunal to the provincial tribunal, if any, or to the Appellate Tribunal, and from a determination of the provincial tribunal to the Appellate Tribunal.

55. (1) [31] A provincial tribunal shall consist of a president who shall be appointed by the metropolitan and not less than two other members as may be prescribed by ordinance of the synod of the province.

The metropolitan and any other bishop of the province is ineligible to be a member of the provincial tribunal. A person who is a member of the provincial tribunal shall cease to hold that office on becoming the metropolitan or other bishop of a diocese of the province.

The president shall be a person qualified to be a lay member of the Appellate Tribunal in accordance with the provisions of s.57(1) of this Constitution and will cease to hold office as prescribed by ordinance of the synod of the province. The members other than the president shall be elected in such manner, hold office for such period, have such qualifications and be subject to such disqualifications and vacancies shall occur and be filled in such manner, as may be prescribed by ordinance of the synod of the province.

(2) A provincial tribunal shall have jurisdiction to hear and determine appeals from any determination of any diocesan tribunal of the province in any case in which an appeal lies there from to the provincial tribunal.

Every appeal to a provincial tribunal shall be by way of re-hearing.

(3) A provincial tribunal shall, in respect of a person licensed by the bishop of a diocese within the province, have original jurisdiction to hear and determine charges of breaches of faith ritual ceremonial or discipline, and of such offences as may be specified by any canon ordinance or rule, provided that such original jurisdiction shall not be exercised except as prescribed by ordinance of the synod of the diocese.

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31 Amended by Canon 5, 2014 which came into effect on 1 July 2019.

(4) An appeal shall lie to the Appellate Tribunal from a determination of a provincial tribunal in its original jurisdiction.

56.[32] (1) Subject to this section, the Special Tribunal shall consist of three persons being:

(a) a person qualified to be a lay member of the Appellate Tribunal who shall be the President of the Special Tribunal;

(b) a diocesan bishop; and

(c) a priest of at least seven years' standing.

(2) No person by or against whom proceedings in the Tribunal are brought shall be a member of the Special Tribunal.

(3) Members of the Special Tribunal shall be elected by or shall be appointed from a panel of persons elected by General Synod as prescribed by canon.

(4) The period of office of members of the Tribunal shall be as prescribed by canon.

(5) Until the Synod shall by canon otherwise prescribe:

(a) the members of the Special Tribunal shall be appointed by the Primate on the nomination of the Standing Committee to hold office for up to five years;

(b) in the absence of a member from Australia or in the event of the inability of a member to act, the Primate may appoint a person eligible to be appointed as that member to act in place of that member during the absence or inability. Such acting member shall continue to act in respect of any charge whose hearing commences whilst he or she is Acting President or member.

(6)[33] The Special Tribunal shall have jurisdiction to hear and determine charges against:

(a) any member of the House of Bishops; and

(b) any bishop assistant to the Primate in his capacity as Primate

of breaches of faith, ritual, ceremonial or discipline and of such offences as may be specified by canon; and

(c) any former member of the House of Bishops and any former bishop assistant to the Primate in the Primate's capacity as Primate of such offences as may be specified by canon in respect of conduct while a member of the House of Bishops or assistant to the Primate.

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32 S.56 extensively amended by Canon 14, 2001 which came into effect on 16 June 2003.

33 Amended by Canon 6, 2017 which came into effect on 1 November 2019.

(7) An appeal shall lie from the determination of the Special Tribunal to the Appellate Tribunal, subject to any limitation as may be prescribed by canon.

(8) The provisions of this section and of sections 60 and 61 as in force before the date of the coming into effect of the Constitution Alteration (Special Tribunal) Canon 2001 shall continue to apply to any proceedings commenced in the Special Tribunal before that date.[34]

57. (1) The Appellate Tribunal shall consist of seven members three of whom shall be diocesan bishops and four of whom shall be laymen.

The members shall be appointed by the General Synod as follows, that is to say, a bishop and a layman on the nomination of the House of Bishops, a bishop and a layman on the nomination of the House of Clergy and a bishop and two laymen on the nomination of the House of Laity.

A president and deputy president shall as often as may be necessary be chosen from among the lay members of the tribunal by the House of Bishops, or, if General Synod be not in session, by a meeting of the members of the House of Bishops.

A layman shall not be a member unless he is qualified to be a lay representative of a diocese, and is or has been a Justice of the High Court of Australia, a Justice of the Supreme Court of a State or Territory of Australia or a Justice or Judge of a Court prescribed by canon of the General Synod or is or has been a practising barrister or solicitor, of at least ten years' standing of the Supreme Court of a State or Territory.[35]

(1A)[36]Despite s 57(1), the General Synod may by canon provide for –

(a) a member of the tribunal whose office is to be vacated, but who is participating in the disposition of an appeal, question or matter made or referred to the tribunal where that appeal, questions or matter will not be disposed of before the date on which the member's office is to be vacated, continuing as a member of the tribunal for the purposes only of participating in and concluding that appeal, question or matter even though the office of that member will for all other purposes be vacated on that date;

(b) the appointment of a qualified person to take the place of a member who is unable to participate in the disposition of an appeal, question or matter (whether because that member's office is vacant, or the member is disqualified or for some other reason) for the purposes only of participating in the disposition of that appeal, question or matter; and

(c) a person referred to in paragraph (b) who is participating in the disposition of an appeal, question or matter made or referred to the tribunal continuing to participate in the disposition of that appeal, question or matter until it is concluded.

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34 The Constitution Alteration (Special Tribunal) Canon 2001 came into effect on 16 June 2003.

35 Words inserted by Schedule Two of Canon 14, 1992 which came into effect on 25 June 1995.

36 Added by Canon 2, 2017 which came into effect on 1 December 2019.

(1B)[37] A person participating in the disposition of an appeal, question or matter by virtue of a canon of the General Synod made under sub-section (1A) is not a member of the tribunal for the purposes of the first sentence in sub-section (1).

(2) The members of the tribunal shall be nominated and appointed in such manner, hold office for such period and be subject to such disqualifications, and vacancies shall occur and be filled in such manner, as may be prescribed by or under canon of General Synod.

No party to an appeal shall be a member of the tribunal for any purpose of the appeal.[38]

The Appellate Tribunal shall have jurisdiction to hear and determine appeals from any determination of the Special Tribunal and from any determination of any diocesan or provincial tribunal in any case in which an appeal lies there from to the Appellate Tribunal**.**

Every appeal to the Appellate Tribunal shall be by way of re-hearing.

Any person charged before a diocesan tribunal and aggrieved by any sentence recommended by it who has no right of appeal under this Constitution or under an ordinance of the diocesan synod may petition the metropolitan of the province or, if the diocese be not part of a province, the Primate that his case be reviewed and the metropolitan or Primate as the case may be may refer the same to the Appellate Tribunal for review and any case so referred shall be heard and determined as an appeal provided however that no such petition may be presented in respect of an order for costs only.

(3) Unless otherwise prescribed by canon of General Synod, the Appellate Tribunal may hear and determine any appeal question or matter made or referred to it although all the members thereof be not present at such hearing or determination, provided that there be present at least two bishops and three laymen. And provided further that if during the hearing of any appeal a member attending the tribunal should die or become unable to continue with the hearing the appeal may proceed so long as the president two bishops and one other lay member or the deputy president two bishops and one other lay member be present provided further that if the number of those present on any appeal should be evenly divided on any question of evidence or procedure the president (or in his absence the deputy president) shall have a casting as well as a deliberate vote.

58. (1) Before determining any appeal or giving an opinion on any reference the Appellate Tribunal shall in any matter involving doctrine upon which the members are not unanimous upon the point of doctrine and may, if it thinks fit, in any other matter, obtain the opinion of the House of Bishops, and a board of assessors consisting of priests appointed by or under canon of General Synod.

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37 Added by Canon 2, 2017 which came into effect on 1 December 2019.

38 Amended by Canon 2, 2017 which came into effect on 1 December 2019.

(2) In any case where the House of Bishops is consulted under this section, the House of Bishops shall aid the tribunal with such information in writing as it thinks proper, provided that if all members of the House of Bishops do not concur each of the members at the time in Australia may aid the tribunal with such information in writing as he thinks proper. For the purposes of this sub-section the House of Bishops shall not include the bishops who are members of the Appellate Tribunal.

59. (1) In all appeals and references to the Appellate Tribunal in any matter involving any question of faith ritual ceremonial or discipline the concurrence of at least two bishops and two laymen and in any other matter the concurrence of at least four members, shall be necessary for the determination of an appeal or the giving of an opinion upon a reference.

(2) General Synod may by canon prescribe any matter incidental to the exercise of any jurisdiction vested by this constitution in the Special Tribunal or in the Appellate Tribunal including the power to award costs.

(3) Unless otherwise prescribed by or under any canon of General Synod, the procedure with respect to hearings and determinations of the Special Tribunal, and with respect to appeals or references to the Appellate Tribunal shall be regulated in such manner as the tribunal thinks fit.

(4) The person who brings a charge before a diocesan or provincial tribunal or before the Special Tribunal if dissatisfied with its determination or recommendation and the person so charged if dissatisfied with the recommendation or sentence pronounced upon such recommendation may within twenty-eight days or within such further time as the president of the Appellate Tribunal may in writing allow after the making of the determination recommendation or the pronouncing of the sentence as the case may be, institute an appeal to the Appellate Tribunal by lodging a notice of appeal in the registry of the Primate and in the registry of the bishop of the diocese or metropolitan concerned and in the case of any sentence or deprivation of or suspension from office the bishop or metropolitan who has pronounced such sentence may thereupon if he sees fit intermit the operation of such sentence.

60. (1)[39] Subject to sub-section (1A), a tribunal shall make such recommendation as it thinks just in the circumstances, but shall not recommend any sentence other than one or more of the following:

(a) deposition from orders;

(b) prohibition from functioning;

(c) removal from office;

(d) rebuke.

Except as otherwise provided herein such recommendation shall be made to the bishop of the diocese concerned.

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[39] S.60 (1) amended by Canon 14, 2001 which came into effect on 16 June 2003; and Amended by Canon 8, 2022 which came into effect on 10 March 2025.

The recommendation of the Special Tribunal, or of the Appellate Tribunal on an appeal from the Special Tribunal, shall be made to the Primate, provided that if the Primate be a party to the appeal or is disqualified from acting or considers that he should disqualify himself from acting, the recommendation shall be made to the metropolitan or bishop who would exercise the authorities powers rights and duties of the Primate, if the office were then vacant.

(1A)[40] Where the tribunal is satisfied that the person so charged has been convicted under the laws of the Commonwealth, State or Territory or under the laws of some other country that are equivalent to a law of the Commonwealth or of a State or Territory of a sexual offence relating to a child committed while a member of the clergy, it must recommend a sentence of deposition from orders.

(1B)[41] For the purposes only of sub-section (1A), "**sexual offence relating to a child**" means-

(a) sexual activity by a persona against, with or in the presence of a child, or

(b) the possession, production or distribution of any form of child pornography.

(2)[42] The person to whom the recommendation is made shall give effect thereto, provided that if any sentence is recommended, other than a sentence of deposition from orders recommended under sub-section (1A), he may consult with the tribunal and in the exercise of his prerogative of mercy (a) mitigate the sentence or (b) suspend its operation or (c) mitigate the sentence and suspend its operation. In each case he shall pronounce the sentence recommended even though he mitigate or suspend it. Provided that if the operation of a sentence or mitigated sentence has been suspended and remains suspended for a period of two years such sentence shall thereafter have no operation.

(3) If in any case the Appellate Tribunal is precluded from determining the appeal, either because the members present at the hearing are equally divided or because there is no such concurrence as is required by this Constitution, the provisions of this sub-section shall have effect, that is to say:-

(a) where any recommendation adverse to the person charged made by a diocesan or a provincial tribunal or by the Special Tribunal, or

(b) where any sentence pronounced against him would but for this sub-section continue in force,

the person to whom the recommendation was made or who pronounced the sentence shall in consultation with the Appellate Tribunal**.** review the

40 Added by Canon 8, 2022 which came into effect on 10 March 2025.
41 Added by Canon 8, 2022 which came into effect on 10 March 2025.
42 Amended by Canon 8, 2022 which came into effect on 10 March 2025.

recommendation or sentence, and after such review may give effect or abstain from giving effect to the recommendation, or may confirm, mitigate or annul the sentence and may give or abstain from giving directions for restoration of office rights and emoluments as he shall think proper and for such compensation where compensation is available as in the circumstances he may deem to be fair and reasonable.

(4)[43] Subject to sub-section (1A), the provisions of this Constitution with respect to an appeal from the determination of a tribunal shall extend to and authorise an appeal from the recommendation or sentence but shall not extend to a ruling of a tribunal of an interlocutory nature.

61.[44] (1) Where a charge has been promoted before a tribunal against any person licensed by the bishop of a diocese, the bishop with the concurrence of the diocesan council may suspend such person from the duties of his office until the determination of the charge or for some lesser time, and may make such arrangements for the performance of the duties of the office as may be authorised by any canon ordinance or rule or in the absence of such canon ordinance or rule as the bishop may deem proper.

(2) The bishop of a diocese may suspend a person referred to in Section 54(2) from the duties of his office where –

(a) the bishop or some other person authorised by ordinance proposes to promote a charge against the person;

(b) the charge will not allege a breach of faith, ritual or ceremonial; and

(c) the charge relates to an offence that is punishable by imprisonment for twelve months or upwards of which the person has been charged or convicted or in respect of which the bishop has received a report from a lay person qualified to be a member of the Appellate Tribunal stating that there is a prima facie case of the person having committed the offence.

(3) Suspension under subsection (2) must be by written instrument signed by the bishop, served on the person to be suspended, and which states –

(a) the intention of the bishop or any other authorised person to promote the charge;

(b) the conduct complained of; and

(c) the period of suspension.

The period of suspension may not exceed 28 days from the date of service on the person to be suspended. Where –

(d) a person has been suspended under subsection (2);

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43 Amended by Canon 8, 2022 which came into effect on 10 March 2025.

44 S.61 extensively amended by Canon 13, 2001 and further amended by Canon 14, 2001 both of which came into effect on 16 June 2003.

(e) the period of suspension has elapsed; and

(f) a charge has not been promoted during the period of suspension;

no further suspension is possible under subsection (2) in relation to the conduct specified in the instrument.

(4) If during the period of suspension referred to in subsection (2) the bishop or other authorised person promotes the charge the suspension of the person shall continue until the first meeting of the diocesan council thereafter.

(5) The bishop of a diocese may revoke the suspension of a person suspended by him under this section and may do so at any time during the period of suspension.

(6) Suspension of a person from the duties of office under this section does not deprive that person of the emoluments appertaining to that office.

61A.[45](1) Subject to sub-section (2), where a charge has been promoted against the bishop of a diocese, the President of the Special Tribunal with the concurrence of the Diocesan Council, meeting when the bishop is not present, may, after considering any submission from the bishop, suspend the bishop from the duties of office until the determination of such charge or for some lesser time.

(2) Where a charge which involves a sexual offence relating to a child has been promoted in the Special Tribunal against a person referred to in section 56(6), the President of the Special Tribunal must suspend the person from the duties of office until the determination of the charge.

(3) If a person is suspended under sub-section (1) or (2) and that suspension is from a paid office, or if the person voluntarily stands aside from performing the duties of office, the person shall be deemed to be on paid leave and to be absent from the State or Territory in which the duties of office would otherwise be performed.

62.[46] (1) For the purpose of securing the attendance of witnesses and the production of documents and for the examination of witnesses on oath or otherwise a tribunal shall be deemed to be an arbitrator within the meaning of any law in force in the State or Territory in which the tribunal sits and shall have power to administer an oath to or take an affirmation from any witness and for the same purpose any party to a proceeding before a tribunal or any person permitted by a tribunal to submit evidence to it shall be deemed to be a party to a reference or submission to arbitration within the meaning of any such law.

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45 S.61A inserted by Canon 14, 2001 which came into effect on 16 June 2003; and Amended by Canon 7, 2022 which came into effect on 10 March 2025.

46 S.62 amended by the addition of sub-sections (2) and (3) by Canon 10, 1998 as amended by Canon 8, 2001 both of which came into effect on 16 June 2003.

(2) In any proceeding before a tribunal, the tribunal shall admit as evidence that a person charged has been convicted of an offence, and proof of such conviction shall be evidence of the facts giving rise to such conviction. This provision shall not apply if such conviction has been quashed or set aside or in respect of which a pardon has been given.

(3) In any proceedings before a tribunal, the transcript of any criminal proceedings in which the member of clergy the subject of a charge before the tribunal was a party shall be admitted as evidence in the same way as if the persons whose evidence appears in the transcript had given evidence in person before the tribunal. Provided that, the tribunal may exclude the whole or any part of such evidence should it consider that admission of the same would be likely to cause a serious injustice to the member of clergy charged.

63. (1) Wherever a question arises under this Constitution and in the manner provided and subject to the conditions imposed by this Constitution the question is referred for determination or for an opinion to the Appellate Tribunal the tribunal shall have jurisdiction to hear and determine the same or to give its opinion as the case may require provided that if provision is not otherwise made under this Constitution for the reference of such question to the tribunal the Primate may and shall at the request of General Synod by resolution or at the written request of twenty-five members thereof or at the request by resolution of the provincial or diocesan synod affected refer the question to the tribunal which shall have jurisdiction as aforesaid.

(2) The tribunal may direct that any synod person or class of persons or association claiming to be interested in the question shall be notified of the hearing and be entitled to appear or be represented thereat.

CHAPTER X. - THE CORPORATE TRUSTEES

64. (1) There shall be a body corporate to be known as "The Anglican Church of Australia Trust Corporation"[47] and in this section referred to as the corporate trustees.

The body corporate shall be deemed to be constituted as soon as this constitution takes effect.

(2) The corporate trustees shall have perpetual succession and a common seal, may sue and be sued in and by their corporate name, and may acquire and hold any real and personal property or any estate or interest therein.

(3) The corporate trustees shall consist of seven or such less number of persons as may be prescribed by canon of the General Synod, and such persons shall be elected or appointed and hold office, and may be removed therefrom, as may be prescribed by canon of the General Synod.

(4) The corporate trustees may be appointed to be the trustees of any church trust property, whether the appointment is made by a person giving or settling property by will or otherwise or by a person entitled under the trust instrument, if any, or by law to appoint a trustee, provided that where the property is under the control of the synod of a diocese or is held exclusively for the benefit of or in connection with a diocese or any part thereof the appointment shall not be made unless the consent of the synod of the diocese is first obtained, and provided that where the property is not under such control or is not so held but is under the control of any society council board agency or authority, whether a body corporate or otherwise, the appointment shall not be made unless the consent of the society council board agency or authority is first obtained.

(5) Nothing contained in this section or done thereunder shall remove any church trust property from the control of any diocesan synod or from the control of any such society council board agency or authority.

CHAPTER XI. - THE ALTERATION OF THIS CONSTITUTION

65. This Constitution shall not be altered except in accordance with the provisions of this chapter.

66. This Church takes no power under this Constitution to alter sections one, two and three and this section other than the name of this Church.

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47 The name of the Corporation was changed from The Church of England in Australia Trust Corporation by Canon 16, 1966 which came into effect on 24 August 1981.

67.[48] (1) Subject to the provisions hereinafter mentioned other sections of this Constitution may be altered by canon of General Synod subject to the following conditions:-

(a) (i) A bill for a canon to alter the provisions of this Constitution mentioned at the foot of this clause which does not deal with or concern or affect the ritual ceremonial or discipline of this Church shall be a canon duly made if it has been passed by a vote of at least two thirds of the members of each house and it has been assented to by a majority of all dioceses of which two at least shall be metropolitan sees. For the purposes of this sub-paragraph (a)(i) a diocese shall be deemed to have assented to a bill if a majority of its lay representatives and a majority of its clerical representatives and the bishop thereof have voted in favour of its passing.

(ii) Any other bill for a canon to alter the provisions of this Constitution mentioned at the foot of this clause shall be a canon duly made if passed by a vote of a majority of the members of each house but the canon shall not come into effect until at least three quarters of the diocesan synods of this Church including all the metropolitan sees have assented to it by ordinance and all such assents be in force at the same time.

(iii) A bill of the kind referred to in sub-paragraph (i) shall be a canon duly made and shall come into effect if it is passed and assented to in the manner prescribed by sub-paragraph (ii).

Sections 11-14, inclusive; 18-25, inclusive; 27; 32-35, inclusive; 64(1)(2) and (3); 68-70, inclusive; 75.

(b) A bill for a canon to alter the name of this Church or the provisions of this Constitution mentioned at the foot of this clause shall be a canon duly made if passed by a vote of a majority of the members of each house but the canon shall not come into effect unless and until every diocesan synod of this Church has assented to it by ordinance and all such assents be in force at the same time.

Sections 64 (4) (5); 67 (1)(b).

(c) A bill for a canon to alter the provisions of this Constitution mentioned at the foot of this clause or to add a new section to this Constitution (not being a new section that alters a provision referred to in paragraph (a) or paragraph (b) of this sub-section) shall be a canon duly made if passed by a vote of a majority of the members of each house but the canon shall not

[48] S.67 repealed and a new sec. 67 inserted by Canon 1, 1987 and Bill 1, 1987 which came into effect on 1 July 1992. S.67 again repealed and a new sec. 67 inserted by Canon 5, 1989 and Bill 2, 1989 which came into effect on 5 June 1995.

come into effect unless and until at least three quarters of the diocesan synods of this Church including all of the metropolitan sees have assented to it by ordinance and all such assents be in force at the same time.

Sections 4-10, inclusive; 15-17, inclusive; 26; 28-30, inclusive; 36-63, inclusive; 65; 67 (1) (a) and (c); 71-74, inclusive; the Table annexed to the Constitution.

(2)[49] Upon a canon to alter the Constitution being duly made in accordance with this Section and upon the President determining that there is no condition, or that no condition remains, to which the coming into effect is subject the President shall appoint a date, being not earlier than three months nor later than six months from the date upon which he so determines, on which the canon shall come into effect; the date appointed shall be notified on the General Synod website.

(3) Where a member of synod is administering a diocese during a vacancy in the see or during the absence or incapacity of the bishop of the diocese, the bishop shall be deemed, for the purpose of sub-paragraph (1)(a)(i), to have voted in favour of the passing of the bill if the member so administering the diocese has voted in favour of the passing of the bill.

(4) Where:

(a) the only lay or clerical representative of a diocese is absent from Synod;

(b) one or more lay or clerical representatives are absent from the Synod and only one-half of the number of lay or clerical, as the case may be, representatives have voted in favour of the passing of the bill;

a majority of the lay or clerical, as the case may be, representatives shall be deemed, for the purpose of sub-paragraph (1)(a)(i), to have voted in favour of the passing of the bill if a majority of all the representatives of the diocese present have voted in favour of the passing of the bill.

CHAPTER XII. - THE OPERATION OF THIS CONSTITUTION

68. (1) This Constitution shall take effect on and from a day to be appointed in accordance with this section.

The day shall not be appointed until the Parliaments of five States have passed Acts for giving effect to this Constitution.

The day shall be appointed by a deed signed by the diocesan bishops of not less than eighteen dioceses of the Church of England in Australia and Tasmania declaring that their respective dioceses have assented to this Constitution.

The bishops signing the deed shall include at least two metropolitans.

[49] Amended by Canon 2, 2026

(2) The day appointed shall be notified in the Commonwealth Gazette by one or more of the metropolitans by whom the deed appointing the day is signed and shall also be notified in the Government Gazette of each State concerned by any one or more of the diocesan bishops by whom the deed appointing the day is signed.

A copy of the Commonwealth Gazette containing a notification of the appointed day which purports to be signed by one or more of the metropolitans shall be conclusive evidence that the day has been duly appointed in accordance with this section.

(3) The diocesan bishops signing the deed or such of them as shall still be in office shall be a commission for convening the first session of General Synod, and notwithstanding any other provision of this Constitution the commission may do or cause to be done anything necessary or convenient for the convening and holding of the session.

The commission shall appoint the place for the session and the time which shall be not later than twelve months after the day on which this Constitution takes effect, and shall at least three months before the time for the session in such manner as the commission deems proper summon the diocesan bishops of the dioceses to which this Constitution applies, and require them to convene the prescribed number of clerical and lay representatives of their respective dioceses at the appointed time and place.

69. (1) Subject to all necessary parliamentary enactments this Constitution shall apply to every diocese of the Church of England in Australia and Tasmania which assents to the constitution, whether before or after this Constitution takes effect, and to every diocese formed or admitted to General Synod under this Constitution. The assent of a diocese shall be given by an ordinance of its synod or if there be no synod or diocesan council by a certificate of its bishop.

(2) Where all the dioceses of any province so assent to this Constitution, it shall apply to the province as well as to each diocese.

If four or more dioceses of a province assent such dioceses shall constitute a province under this Constitution.

(3) If any diocese in Australia does not assent to this Constitution such diocese shall not by reason only of that fact cease to be in fellowship or communion with this Church or with the Church of England in the dioceses of Australia and Tasmania, but may have association with this Church on such terms and conditions as may be agreed upon by ordinance of the diocesan synod of the diocese and by canon of General Synod.

70. This Constitution and all canons and rules passed and made hereunder shall be binding on the bishops clergy and laity as members of this Church and for all purposes connected with or in any way relating to church trust property.

71. (1) Every consensual compact and every enactment in force in the Church of England in the dioceses of Australia and Tasmania, or in any province or diocese which has become or becomes a province or diocese to which this Constitution applies shall insofar as they are not inconsistent with this Constitution, continue in force in this Church or in the province or diocese, until altered under this Constitution or under the constitution of the province or diocese.

This sub-section extends to any determination rule or regulation made by the Synod known as the General Synod of the Church of England in the dioceses of Australia and Tasmania, any constitution act canon or ordinance made by the provincial synods of New South Wales, Victoria, Queensland, and Western Australia respectively, and any constitution act canon ordinance rule or regulation made by the diocesan synod of any diocese in Australia.

Nothing in this Constitution shall authorise the synod of a diocese or of a province to make any alteration in the ritual or ceremonial of this Church except in conformity with an alteration made by General Synod.

(2) The law of the Church of England including the law relating to faith ritual ceremonial or discipline applicable to and in force in the several dioceses of the Church of England in Australia and Tasmania at the date upon which this Constitution takes effect shall apply to and be in force in such dioceses of this Church unless and until the same be varied or dealt with in accordance with this Constitution.

72. Where any question arises as to the faith ritual ceremonial or discipline of this Church or as to the authorities powers rights and duties of bishops priests and deacons of this Church, or of any officer or member thereof, nothing in this Constitution shall prevent reference being made to the history of the Church of England in England to the same extent as such reference might have been made for the purposes of the Church of England in the dioceses of Australia and Tasmania immediately before the day on which this Constitution takes effect.

73. (1) In determining any question as to the faith ritual ceremonial or discipline of this Church any tribunal may take into consideration but shall not be bound to follow its previous decisions on any such questions or any decision of any judicial authority in England on any questions of the faith ritual ceremonial or discipline of the Church of England in England.

(2) A determination of any tribunal which is inconsistent or at variance with any decision of such a judicial authority in England shall have permissive effect only and shall not be obligatory or coercive.

(3) A determination of a provincial tribunal shall be binding upon a diocesan tribunal in the province and a determination of the Appellate Tribunal shall be binding upon the Special Tribunal the provincial tribunal and the diocesan tribunal provided however that the synod of a diocese may by ordinance direct that a diocesan tribunal shall not follow or observe a particular determination of the Appellate or provincial tribunal which has permissive effect only.

74. (1)[50] In the constitution unless the context or subject matter otherwise indicates -

"**Alteration**" includes repeal, and "**alter**" and "**altered**" have a meaning corresponding with that of alteration.

"**Australia**" includes the Commonwealth of Australia and any Territory under the control of the Commonwealth of Australia whether by trusteeship or otherwise.

"**Canonical fitness**" means, as regards a person, that:

(a) the person has attained at least 30 years of age;

(b) the person has been baptised; and

(c) the person is in priests' orders.[51]

"**Canonical Scriptures**" means the canonical books as defined by the sixth of the Thirty-nine Articles.

"**Ceremonial**" includes ceremonial according to the use of this Church, and also the obligation to abide by such use.

"Child" means a person under the age of 18.[52]

"**Church trust property**" means property held in trust for or on behalf of or for the use of this Church and includes property held for the benefit of or in connection with any diocese or parish or otherwise.

"**Diocesan bis**hop" means the bishop of a diocese.

"**Diocesan council**" in a diocese where there is a synod means -

(a) the body exercising powers and functions of the synod on its behalf when it is not in session, or

(b) where there is no such body, the body constituted or determined by the relevant synod to be the diocesan council. [53]

"**Diocesan synod**" and "**synod of a diocese**" include a diocesan council where there is no diocesan synod.

"**Diocese**" means a diocese of this Church.

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50 Definition of "Missionary diocese" deleted by Schedule Three of Canon 14, 1992 which came into effect on 31 July, 1995.

51 Definition substituted for previous definition by Canon 9, 1989 and Bill 5, 1989 which came into effect on 5 June 1995.

52 Definition inserted by Canon 7, 2022 and Canon 8, 2022 which came into effect on 10 March 2025.

53 Definition inserted by Canon 1, 2010 which came into effect on 1 March 2016.

* * * [54]

"**Doctrine**" means the teaching of this Church on any question of faith.

"**Faith**" includes the obligation to hold the faith.

"**General Synod**" or "**Synod**" means the General Synod under this Constitution.

"**Incumbent**" includes the minister in charge of a parish, a parochial district or similar pastoral division.[55]

"**Licence**" means a licence under seal of the bishop of a diocese, and "**licensed**" has a meaning corresponding with that of licence.

"**Member of this Church**" means a baptised person who attends the public worship of this Church and who declares that he is a member of this Church and of no church which is not in communion with this Church.[56]

"**Metropolitan**" includes the bishop exercising the authorities powers rights and duties of the metropolitan.

* * * [57]

"**Month**" means a calendar month, that is, a period commencing at the beginning of a day of one of the twelve months of the year and ending immediately before the beginning of the corresponding day of the next month or, if there is no such corresponding day, ending at the expiration of the next month.[58]

"**Ordinance**" includes any act canon constitution statute legislative measure or provision of a provincial or diocesan synod or of the competent authority in or with respect to a missionary diocese.

"**Parish**" includes any parochial district or similar pastoral division constituted by or under ordinance of the synod of a diocese.

"**Parishioner**" means a member of this Church who is entitled to vote at a meeting of a parish for the election of churchwardens, or who if no such meeting is provided for is at least eighteen years of age.[59]

"**Primate**" includes the metropolitan or bishop exercising the authorities powers rights and duties of the Primate.

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54 Definition "Discipline" deleted by Canon 18, 1998 which came into effect on 14 April 2003 – see new section 74 (9).

55 Definition inserted by Canon 9, 1995 which came into effect on 1 May 1997.

56 Altered by Canon 12, 1985 and Bill 1, 1985 which came into effect on 1 July 1988.

57 Definition of "Missionary diocese" deleted by Schedule Three of Canon 14, 1992 which came into effect on 31 July, 1995.

58 Added by Canon 2, 1998 which came into effect on 14 May 2001.

59 Word "eighteen" substituted for "twenty-one" by Schedule One of Canon 14, 1992 which came into effect on 25 June 1995.

"**Printing**" shall include typing, duplicating or any other method of producing facsimile copies.

"**Provincial synod**" includes a provincial council.

"**Ritual**" includes rites according to the use of this Church, and also the obligation to abide by such use.

"**See**" means a see of this Church.

[60]**"Sexual offence relating to a child** means –

(a) sexual activity by a person against, with or in the presence of a child, or

(b) the possession, production or distribution by a person of any form of child pornography-

in respect of which-

(c) the person has been convicted under the laws of the Commonwealth, State or Territory; or

(d) a court, commission or tribunal of the Commonwealth, a State or a Territory has made an adverse finding of fact in relation to that person; or

(e) the person has been convicted in some other country under the laws of that country that are equivalent to a law of the Commonwealth or of a State or Territory; or

(f) the person has not been tried by a court of competent jurisdiction and which if proved-

(i) if alleged to have been committed within Australia, would constitute a criminal offence in the State or Territory in which it is alleged to have occurred; and

(ii) if alleged to have been committed in a country other than Australia, would if committed in Australia constitute a criminal offence under a law of the Commonwealth or of a State or Territory.

"**State**" means a State of the Commonwealth of Australia.

"**This Church**" means the Anglican Church of Australia.[61]

"**This Constitution**" or "**the Constitution**" means the Constitution of this Church.

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60 Definition inserted by Canon 7, 2022 which came into effect on 10 March 2025.

61 See footnote 1.

"**Voting by houses**" means the procedure whereby three distinct votes are taken, that is to say, a vote of the House of Laity, a vote of the House of Clergy, and a vote of the House of Bishops.

(2) In this Constitution "**the Book of Common Prayer**" means the Book of Common Prayer as received by the Church of England in the dioceses of Australia and Tasmania before and in the year of our Lord one thousand nine hundred and fifty-five, that is to say, the book entitled "The Book of Common Prayer and Administration of the Sacraments and other rites and ceremonies of the Church according to the use of the Church of England together with the Psalter or Psalms of David pointed as they are to be sung or said in churches and the form or manner of making ordaining and consecrating of bishops, priests and deacons," and generally known as the Book of Common Prayer 1662.

(3) In this Constitution "the doctrine and principles of the Church of England embodied in the Book of Common Prayer" and the "articles of religion" sometimes called the "**Thirty-nine Articles**" means the body of such doctrine and principles.

(4) In this Constitution, unless the context or subject matter otherwise indicates, any reference to faith shall extend to doctrine.

(5) In this Constitution "**decision of any judicial authority**" shall include any judgment order decree sentence or order in council and the reasons report or recommendation therefor, and "**judicial authority**" shall include any court judge tribunal body or person having either secular or ecclesiastical jurisdiction whether before or after the date on which this Constitution takes effect, and without affecting the generality of any other provision of this Constitution it is hereby declared that "**judicial authority**" shall include the Court which was commonly called the High Court of Delegates, the King's Majesty in Council to which the powers of that Court were transferred, and the Judicial Committee of the Privy Council.

(6) In the case of lay but not clerical persons words in this Constitution importing the masculine shall include the feminine.

(7) This Constitution shall, unless the context or subject matter otherwise indicate, be construed as if the Acts Interpretation Act 1901-1948 of the Parliament of the Commonwealth of Australia applied to this Constitution.

(8) Where any period of time, dating from a given day, act or event is prescribed or allowed for any purpose by this Constitution or by any canon made under this Constitution, the time shall, unless the contrary intention appears, be reckoned exclusive of such day or of the day of such act or event. Where the last day of any period prescribed or allowed for the doing of anything falls on a Saturday, on a Sunday or on a day which is a public or bank holiday in the place in which the thing is to be done or may be done, the thing may be done on the first day following, which is not a Saturday, a Sunday or a public or bank holiday in that place.[62]

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62 Added by Canon 2, 1998 which came into effect on 14 May 2001.

(9)[63] In this Constitution "**discipline**" means

(a) in Chapters II to VII and X to XII the obligation to adhere to, to observe and to carry out (as appropriate):

(i) the faith, ritual and ceremonial of this Church; and

(ii) the other rules of this Church which impose on the members of the clergy obligations regarding the religious and moral life of this Church; and

(b) in Chapter IX, as regards a person in Holy Orders licensed by the bishop of a diocese or resident in a diocese both:

(i) the obligations in the ordinal undertaken by that person; and

(ii) the ordinances in force in that diocese.

(10)[64] In this Constitution a reference to an Aboriginal person is a reference to a person of the Aboriginal race of Australia; and a reference to a Torres Strait Island person is a reference to a person who is a descendent of the indigenous inhabitants of the Torres Strait Islands.

75. This Constitution is divided into the following parts and chapters: -

Part I.

Chapter I. - FUNDAMENTAL DECLARATIONS (Sections 1-3).

Chapter II. - RULING PRINCIPLES (Sections 4-6).

Part II. - THE GOVERNMENT OF THE CHURCH

Chapter III. - OF THE BISHOPS (Sections 7-14).

Chapter IV. - OF THE GENERAL SYNOD (Sections 15-25).

Chapter V. - OF THE POWERS OF GENERAL SYNOD (Sections 26-33).

Chapter VI. - COMMITTEES, BOARDS AND COMMISSIONS (Sections 34-35).

Chapter VII. - THE PROVINCES AND PROVINCIAL SYNODS (Sections 36-42).

Chapter VIII. - THE DIOCESES AND DIOCESAN SYNODS (Sections 43-52).

Chapter IX. - THE TRIBUNALS (Sections 53-63).

Chapter X. - THE CORPORATE TRUSTEES (Section 64).

Chapter XI. - THE ALTERATION OF THIS CONSTITUTION (Sections 65-67).

Chapter XII. - THE OPERATION OF THIS CONSTITUTION (Sections 68-75).

63 Added by Canon 18, 1998 which came into effect on 14 April 2003.

64 Added by Canon 16, 1998 which came into effect on 1 March 2000.

THE TABLE ANNEXED TO THE CONSTITUTION

CLERICAL AND LAY REPRESENTATIVES IN GENERAL SYNOD

1. The number of clerical and lay representatives respectively of each diocese shall be in proportion to the number of clergy[65] of the diocese and shall be determined by dividing that number by a quota, namely, twenty, and if on the division there is a remainder of ten or more the diocese shall be entitled to one more clerical and one more lay representative.

2. Notwithstanding any other provision in this table each diocese shall be entitled to at least one clerical and one lay representative.

3.[66] In this Table 'clergy' means the number of persons in the Order of Bishop, Priest or Deacon ordinarily resident in the diocese who are:-

   (a) incumbents, whether full or part time, stipendiary, part stipendiary or non-stipendiary;

   (b) clergy engaged on a full time basis or substantially full time basis in providing services for or in connection with The Anglican Church of Australia or any part thereof and paid a stipend or other remuneration for such services who are not incumbents, whether attached to a parish or otherwise.

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65 Changed from "clergymen" by Canon 9, 1995 which came into effect on 1 May, 1997.

66 Clause 3 amended by Canon 9, 1995 which came into effect on 1 May, 1997.

NOTES ON THE CONSTITUTION

1. The Constitution of the Church of England in Australia was approved by the General Synod of the Church of England in Australia and Tasmania on 6 October 1955, and revised by the Continuation Committee appointed at the time, which was authorised to make such corrections of a non-contentious character as might seem to it necessary or desirable. The Chairman of Committees signed the final form of the text on 7 February 1956. This text was submitted to the dioceses for their assent, and it also formed the schedule to the New South Wales Act No. 16, 1961. The Constitution came into effect pursuant to section 68 on 1 January 1962.

2. The text printed here follows the official N.S.W. version, with very minor style changes such as the standardisation of upper and lower case.

3. The alteration of the name of the Church from *The Church of England in Australia* to *The Anglican Church of Australia* came into effect on 24 August 1981.

4. Appendix 1 immediately following lists the alterations to the Constitution which had come into effect as at 1 September 2026. These alterations are incorporated in the text of the Constitution. Footnotes to the text draw attention to these alterations.

5. Canons and Bills for the alteration of the Constitution which have not come into effect are listed in Appendix 2 immediately following Appendix 1. The text of those Canons and Bills is set out immediately following Appendix 2.

6. In 1981 the General Synod passed two Bills to alter the Constitution. These Bills required the assent of at least three-fourths of the diocesan synods including the synods of all the metropolitan sees in order to come into effect. When they were considered by the diocesan synods, some synods acted on legal advice that the Constitution could be altered only by Canons and not by Bills. Other diocesan synods acted on advice that Bills were the proper way to alter the Constitution. To ensure that alterations made at the 1985, 1987 and 1989 sessions of General Synod would not be rejected by diocesan synods on the same grounds, General Synod legislated for changes to the Constitution by passing both a Canon and a Bill, each making the same changes.

7. Alterations to the Constitution passed by General Synod in 1987 came into effect on 1 July 1992, prior to the 1992 session of the General Synod. One effect of these alterations was to make it clear that alterations to the Constitution would in future be made by Canon.

8. One of the Bills passed in 1981 [Bill 2, 1981] was further dealt with in Canon 1, 1987 and Bill 1, 1987, which came into effect on 1 July 1992. Sec. 2 of the Canon and of the Bill of 1987 provide together a method for Bill 2, 1981 to be brought into effect without a matching Canon.

APPENDIX 1 TO NOTES ON THE CONSTITUTION

LIST OF ALTERATIONS TO THE CONSTITUTION WHICH HAVE COME INTO EFFECT

In date order of when they came into effect.

No.	Title	Date came into effect	Sections affected
Canon 16, 1966	The Anglican Church of Australia Canon 1966	24 August 1981	1, 64, 74
Canon 12, 1985	Constitution Alteration (Definition of 'Member') Canon 1985	1 July 1988	74
Canon 22, 1985	Constitution Alteration (Deacons and the Houses of Synod) Canon 1985	1 July 1988	17, 30
Bill 1, 1985	Constitution Alteration (Definition of 'Member') Bill 1985	1 July 1988	74
Bill 2, 1985	Constitution Alteration (Deacons and the Houses of Synod) Bill 1985	1 July 1988	17
Canon 2, 1989	Constitution Alteration (Financial Provisions) Canon 1989	23 August 1989	32, 34
Bill 1, 1989	Constitution Alteration (Financial Provisions) Bill 1989	23 August 1989	32, 34
Canon 8, 1989	Constitution Alteration (Chairing of Meetings) Canon 1989	24 August 1989	20
Bill 4, 1989	Constitution Alteration (Chairing of Meetings) Bill 1989	24 August 1989	20
Canon 1, 1987	Constitution Alteration Canon 1987	1 July 1992	28, 29, 30, 31, 67
Bill 1, 1987	Constitution Alteration Bill 1987	1 July 1992	28, 29, 30, 31, 67
Canon 5, 1989	Constitution Alteration (Making of Canons) Canon 1989	5 June 1995	27, 28, 67
Bill 2, 1989	Constitution Alteration (Making of Canons) Bill 1989	5 June 1995	27, 28, 67
Canon 9, 1989	Constitution Alteration (Canonical Fitness) Canon 1989	5 June 1995	74

No.	Title	Date came into effect	Sections affected
Bill 5, 1989	Constitution Alteration (Canonical Fitness) Bill 1989	5 June 1995	74
Canon 13, 1992	Constitution Alteration (Sections 17 and 23) Canon 1992	25 June 1995	17, 23
Canon 14, 1992	Constitution Alteration (Miscellaneous Sections) Canon 1992	25 June 1995 [Schedules 1 & 2] 31 July, 1995 [Schedule 3]	17, 57, 74 17, 44, 49, 74
Canon 9, 1995	Constitution Amendment (Table Annexed) Canon 1995	1 May, 1997	74, Table Annexed
Canon 17, 1995	Constitution Amendment (Rights of Non-Members of General Synod) Canon 1995	17 September, 1997	15
Canon 6, 1998	Constitution Alteration (Committees Appointment) Canon 1998	1 March, 1998	35
Canon 16, 1998	Constitution Alteration (Composition of General Synod) Canon 1998	1 March 2000	11, 16, 17, 19, 27, 74
Canon 2, 1998	Revised Constitution Amendment (Interpretation) Canon 1998	14 May 2001	74 [repeals Canon 15, 1995]
Canon 18, 1998	Constitution Alteration (Discipline Clarification) Canon 1998	16 April 2003	74
Canon 10, 1998	Constitution Alteration (Tribunals) Canon 1998	16 June 2003	54, 62
Canon 8, 2001	Constitution Alteration (Tribunals) Amendment Canon 2001	16 June 2003	54 [amends Canon 10, 1998]
Canon 13, 2001	Constitution Alteration (Suspension From Duties) Canon 2001	16 June 2003	61 [repeals Canon 9, 1998]
Canon 14, 2001	Constitution Alteration (Special Tribunal) Canon 2001	16 June 2003	56, 60, 61
Canon 12, 2010	Constitution Amendment (Chapter V) Canon 2010	1 July 2014	28A, 30
Canon 1, 2010	Constitution Amendment (Diocesan Council) Canon 2010	1 March 2016	74(1)

No.	Title	Date came into effect	Sections affected
Canon 4, 2014	Constitution Amendment (Memberships of the Diocesan Tribunal) Canon 2014	1 July 2019	54(1)
Canon 5, 2014	Constitution Amendment (Membership of the Provincial Tribunal) Canon 2014	1 July 2019	55(1)
Canon 6, 2017	Constitution (Jurisdiction of Special Tribunal) Amendment Canon 2017	1 November 2019	56(6)
Canon 2, 2017	Constitution (Appellate Tribunal) Amendment Canon 2017	1 December 2019	57(1), 57(2) [repeals Canon 3, 2010]
Canon 2, 2022	Constitution (Repeal of Canon No 9 of 2010) Canon 2022	9 May 2022	**Repeals** Canon 9, 2010
Canon 7, 2022	Constitution Amendment (Mandatory Suspension) Canon 2022	10 March 2025	61A, 74 [amends Canon 13, 2007] [amends Canon 15, 2007] [amends Canon 5, 2017] [repeals Canon 18, 2007]
Canon 8, 2022	Constitution Amendment (Mandatory Deposition) Canon 2022	10 March 2025	60, 74 [amends Canon 5, 2017] [amends Canon 15, 2007]
Canon 2, 2026	Constitution Amendment (Publication of Constitutional Amendments) Canon 2026	10 August 2026	67(2)
Canon 6, 1989	Constitution Alteration (Title of the Primate) Canon 1989	29 January 2027	10
Bill 3, 1989	Constitution Alteration (Title of the Primate) Bill 1989	29 January 2027	10

APPENDIX 2 TO NOTES ON THE CONSTITUTION

ALTERATIONS TO THE CONSTITUTION NOT IN EFFECT

No.	Title	Sections affected
Bill 1, 1981	A Bill To Alter The Constitution of the Anglican Church of Australia with respect to the Ordination of Women	4, 74 (6A)
Bill 2, 1981	A Bill to Alter the Constitution of the Anglican Church of Australia with respect to the Mode of Appointment of the Appellate Tribunal	57 (1)
Canon 1, 1987	Constitution Alteration Canon 1987 [67]	Section 2 has not come into operation
Bill 1, 1987	Constitution Alteration Bill 1987 [68]	Section 2 has not come into operation
Canon 7, 1992	Constitution Amendment (Section 51) Canon 1992	51 and Table annexed to the Constitution
Canon 11, 2004	Constitution Amendment (Relations with other Churches) Canon 2004	6
Canon 13, 2004	Constitution Alteration (Chapter IX) Canon 2004	63A; S67(1)(c)
Canon 6, 2007	Constitution Alteration (Chapter IX) Canon Amendment Canon 2007	2 subsections (2), (3), (4), (7), (8), (9), (10) and (11)
Canon 8, 2007	Constitution Amendment (Section 10) Canon 2007	10
Canon 16, 2007	Constitution Amendment (Section 54A) Canon 2007	54A
Canon 19, 2007	Constitution Amendment (Provinces and Dioceses) Canon 2007	38A; 38B; 45A
Canon 8, 2010	Constitution Amendment (Section 30) Canon 2010	30
Canon 3, 2026	Constitution Amendment (Provincial Composition) Canon 2026	37, 38
Canon 4, 2026	Constitution Amendment (Provincial Constitutions) Canon 2026	40, 41
Canon 5, 2026	Constitution Amendment (First Nations Bishops) Canon 2026	17(8)(a)
Canon 9, 2026	Constitution Amendment (Defence Force Representation in General Synod) Canon 2026	17(1), 17(8)(a)

67 This canon came into effect on 1 July 1992.

68 This bill came into effect on 1 July 1992.

BILLS AND CANONS

FOR THE

ALTERATION OF THE

CONSTITUTION NOT IN EFFECT

OR NOT IN FULL OPERATION

BILL TO ALTER THE CONSTITUTION OF THE ANGLICAN CHURCH OF AUSTRALIA WITH RESPECT TO THE ORDINATION OF WOMEN

Bill 1, 1981

The General Synod prescribes as follows:

1. The Constitution of this Church is altered as follows:

   (1) In Section 4 for the expression "**4. This**" there is substituted the expression "**4. (1) This**".

   (2) At the end of Section 4 there is added the following sub-section:

   "(**2) Nothing in this section prevents this Church from authorising by canon the ordaining of women into the three orders of bishops, priests and deacons in the sacred ministry**."

   (3) There is inserted in Section 74 after sub-section (6), the following sub-section:

   "(6A) Notwithstanding anything in sub-section (6), in Chapters II to XII both inclusive and in the Table annexed to this Constitution words importing the masculine shall include the feminine."

2. This bill shall come into effect upon a date to be declared by the Primate on the advice of the Standing Committee of General Synod provided that at least three quarters of the diocesan synods of this Church including the synods of all metropolitan Sees have assented to it by ordinance, all such assents being in force at the same time.

BILL TO ALTER THE CONSTITUTION OF THE ANGLICAN CHURCH OF AUSTRALIA WITH RESPECT TO THE MODE OF APPOINTMENT OF THE APPELLATE TRIBUNAL

Bill 2, 1981

1. The Constitution of this Church is altered by omitting from Sub-section (1) of Section 57 the paragraph which begins "The members shall be appointed" and which ends "of the House of Laity."

CONSTITUTION ALTERATION CANON 1987 [1]

Canon 1, 1987
See: Bill 1, 1987

A canon to alter the Constitution with respect to alteration of the Constitution.

The General Synod prescribes as follows:

1. The Constitution is altered to the extent provided by this Canon and the Schedule to this Canon.

2.[2] Notwithstanding any provision of this Canon or of the Constitution in the event that three-quarters of the diocesan synods including the metropolitan synods of this Church shall have assented by ordinance to an instrument mentioned at the foot of this clause, all such assents being in force at the same time, the President shall appoint a date being not earlier than three months nor later than six months from the date upon which he so appoints on which that instrument shall come into effect and upon the day so appointed this Constitution shall be altered as provided by that instrument; the date appointed and sufficient particulars to identify the instrument shall be notified in the Commonwealth of Australia Gazette and in the Government Gazette of each State.

   The instrument entitled "A Bill to Alter the Constitution of the Church of England in Australia with Respect to the Mode of Appointment of the Appellate Tribunal" and numbered in the Official Report of the Proceedings of the Sixth General Synod "No. 2, 1981".

3. The amendments to the Constitution that are made by this canon shall come into force on a date to be appointed and declared by the Primate who shall follow mutatis mutandis, the notification procedure prescribed by Rule XX.

4. This Canon may be cited as "Constitution Alteration Canon 1987".

SCHEDULE [3]

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1 This canon came into effect on 1 July 1992.
2 Section 2 has not come into operation.
3 The alterations set out in the Schedule came into effect on 1 July 1992 and are incorporated in the text of the Constitution in this book.

CONSTITUTION ALTERATION BILL 1987 [1]

Bill 1, 1987
See: Canon 1, 1987

A bill to alter the Constitution with respect to alteration of the Constitution.

The General Synod prescribes as follows:

1. The Constitution is altered to the extent provided in this Bill and the Schedule to this Bill.

2.[2] Notwithstanding any provision of this Bill or of the Constitution in the event that three-quarters of the diocesan synods including the metropolitan synods of this Church shall have assented by ordinance to an instrument mentioned at the foot of this clause, all such assents being in force at the same time, the President shall appoint a date being not earlier than three months nor later than six months from the date upon which he so appoints on which that instrument shall come into effect and upon the day so appointed this Constitution shall be altered as provided by that instrument; the date appointed and sufficient particulars to identify the instrument shall be notified in the Commonwealth of Australia Gazette and in the Government Gazette of each State.

   The instrument entitled "A Bill to Alter the Constitution of the Church of England in Australia with Respect to the Mode of Appointment of the Appellate Tribunal" and numbered in the Official Report of the Proceedings of the Sixth General Synod "No. 2, 1981".

3. This Bill may be cited as "Constitution Alteration Bill 1987".

SCHEDULE [3]

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1 This bill came into effect on 1 July 1992.
2 Section 2 has not come into operation.
3 The alterations set out in the Schedule came into effect on 1 July 1992 and are incorporated in the text of the Constitution in this book.

CONSTITUTION AMENDMENT (SECTION 51) CANON 1992

Canon 7, 1992

A canon to amend section 51 of the Constitution and the Table annexed to the Constitution.

The General Synod prescribes as follows:

Title

1. This Canon may be cited as the Constitution Amendment (Section 51) Canon 1992.

Amendment of section 51

2. Section 51 of the Constitution is deleted and the following section is inserted in lieu thereof:

51. (1) Subject to the terms of this Constitution the synod of a diocese may make ordinances for or relating to the order and good government of this Church within the diocese, including ordinances in respect of discipline.

(2) An ordinance of the synod of a diocese must be made in accordance with the procedure in that behalf prescribed by or under the constitution of the diocese.

(3) An ordinance may be for or relating to the order and good government of this Church within the diocese notwithstanding that it may have some effect outside the diocese or may relate to some matter affecting the order and good government of this Church which is within the powers of General Synod.

(4) An ordinance of the synod of a diocese that is inconsistent with this Constitution or with a canon of General Synod in force in the diocese is, to the extent of the inconsistency, of no effect.

(5) It is declared for the avoidance of doubt that nothing in this section prevents the synod of a diocese from making ordinances under this section in respect of ordination or anything relating thereto.

(6) The Primate may refer to the Appellate Tribunal any question whether a particular ordinance of the synod of a diocese is of no effect because of an inconsistency referred to in subsection (4), and section 63 does not apply to any such question.

(7) The answer of the Appellate Tribunal on a question referred to it under subsection (6) is final.

(8) A provision of an ordinance of the synod of a diocese -

(a) made before the date on which this section comes into effect; and

(b) in force before that date or to come into operation or effect after that date

is as valid and effective as it would have been if this section had been in force at the time the ordinance was made.

(9) Subsection (8) does not apply to a provision that -

(a) was invalid or ineffective before the date on which this section comes into effect; and

(b) would have been invalid or ineffective even if this section had been in force at the time the provision was made.

Amendment of Table Annexed to the Constitution.

3. (1) Paragraph 1 of the Table Annexed to the Constitution (hereinafter is called **"The Table**") is amended by deleting therefrom the word "**clergymen**" and by inserting in lieu thereof the words "**the clergy**".

(2) The first sentence of paragraph 3 of the Table is amended by:

(a) deleting the word "clergymen" and by inserting in lieu thereof the words "the clergy"; and

(b) deleting the words "priests' orders" and by inserting in lieu thereof the words "priests' orders or in deacons' orders and, in each case,".

(3) The second sentence of paragraph 3 of the Table is amended by:

(a) inserting after the words "priests' orders" (first occurring) the words "or in deacons' orders"; and

(b) deleting the words "clergyman in priests' orders" and inserting in lieu thereof the words "person in priests' orders or in deacons' orders".

CONSTITUTION AMENDMENT (RELATIONS WITH OTHER CHURCHES) CANON 2004

Canon 11, 2004

A canon to amend the constitution with respect to the relations of this Church with other Churches.

The General Synod prescribes as follows:

Short title

1. This Canon may be cited as the Constitution Amendment (Relations with other Churches) Canon 2004.

New Section 6 substituted – Churches in communion

2. Section 6 of the Constitution is deleted and the following substituted–

"6 (1) This Church shall continue in communion with the Church of England in England so long as communion is consistent with the Fundamental Declarations

(2) Unless otherwise prescribed by canon of General Synod, this Church shall continue in communion with churches in communion with the Church of England in England so long as communion is consistent with the Fundamental Declarations.

(3) The General Synod may make canons:

(a) declaring those churches with which this Church is in communion, or

(b) specifying the conditions for entering into communion with other churches.

(4) The General Synod cannot make a canon referred to in subsection (3) in relation to a church unless communion with the church is, or will be if the conditions specified for entering into communion with the church are complied with, consistent with the Fundamental Declarations.

(5) No canon referred to in subsection (3) shall come into effect unless and until at least three quarters of the diocesan synods of this church including all of the metropolitan dioceses have assented to it by ordinance and all such assents be in force at the same time.

(6) This Church shall continue in communion with:

(a) a church the subject of a declaration referred to in subsection (3)(a), or

(b) a church with which communion has been entered into in accordance with conditions referred to in subsection (3)(b),

so long as communion is consistent with the Fundamental Declarations.

(7) Nothing in this section prevents the bishop of a diocese, or the synod of a diocese, from determining, in accordance with the powers, authorities, duties or functions of the bishop or synod, any matter relating to communion affecting the diocese."

CONSTITUTION ALTERATION (CHAPTER IX) CANON 2004

Canon 13, 2004

A canon to amend the constitution with respect to administrative bodies and appeals therefrom and for incidental matters.

The General Synod prescribes as follows:

1. This Canon may be cited as the "Constitution Alteration (Chapter IX) Canon 2004".

2. In Chapter IX of the Constitution, after section 63 insert:

"63A (1) Despite anything to the contrary in this Constitution:

(a) a diocese may establish by ordinance any board or other body whose jurisdiction includes jurisdiction to inquire into the conduct of a person specified in such ordinance, including a person in respect of whom a diocesan tribunal may exercise jurisdiction;

(b) General Synod may establish by canon any board or other body which has jurisdiction to inquire into the conduct of a person:-

(i) in respect of whom the Special Tribunal may exercise jurisdiction; or

(ii) who holds a licence from the Primate in his capacity as Primate.

(2) A board or body referred to in subsection (1) may, in respect of whom it exercises jurisdiction, exercise such powers as may be specified in the ordinance or canon creating the board or body.

(3) The powers referred to in subsection (2) may include:

(a) the powers conferred on a tribunal by section 60 and subsections (2) and (3) of section 62 of this Constitution; and

(b) the power to suspend a person from the duties of office or employment pending the completion of any inquiry by such board or body into the conduct of such person upon such terms and conditions as may be prescribed by such ordinance or canon, as the case may be, but without deprivation of emoluments pertaining to the office or employment of the person.

(4) The powers referred to in subsection (3) may be exercised in respect of a person notwithstanding that the person is a person in respect of whom a diocesan tribunal or the Special Tribunal may exercise jurisdiction.

(5) A person authorised by ordinance of a diocese or by canon of General Synod as the case may require may give effect to any recommendation or determination of a board or body referred to in this section.

(6) A board or body referred to in this section shall not have power to hear, determine or make recommendations concerning:

(a) an alleged breach of faith, ritual or ceremonial; or

(b) any act or omission which is the subject of a charge before or a determination of a diocesan tribunal or the Special Tribunal.

(7) Subject to subsection (8), an appeal shall lie to a Review Tribunal from any recommendation or determination, other than by way of an interlocutory order, of a board or body referred to in this section.

(8) An appeal referred to in subsection (7) shall only lie by leave of the Review Tribunal and be by way of review of the recommendation or determination that is the subject of the appeal and not by way of re-hearing.

(9) In this section a reference to a Review Tribunal is a reference:

(a) to a Review Tribunal constituted and having such powers as are conferred on it by canon of General Synod; and

(b) in the absence of any such canon, to the Appellate Tribunal.

(10) This section applies and shall be deemed always to have applied to a board or body created by ordinance of a diocese or by canon of General Synod having or purporting to have effect at the time when the Constitution Alteration (Chapter IX) Canon 2004 comes into effect."

3. Section 67(1)(c) of the Constitution is amended by deleting the figure "63' and by substituting therefor the figure "63A'.

CONSTITUTION ALTERATION (CHAPTER IX) CANON AMENDMENT CANON 2007

Canon 6, 2007

The General Synod prescribes as follows:

1. This Canon may be cited as the "Constitution Alteration (Chapter IX) Canon Amendment Canon 2007".

2. Section 2 of the Constitution Alteration (Chapter IX) Canon 2004 is amended:

   (a) By deleting the word "**A**" at the commencement of subsection (2) of proposed section 63A of the Constitution and by inserting in lieu thereof the expression "**Subject to this section a**";

   (b) By adding at the end of paragraph (b) of subsection (3) of proposed section 63A of the Constitution the following:

   "**provided that the power to suspend the bishop of a diocese may only be exercised with the concurrence of the Diocesan Council of the diocese meeting when the bishop is not present**";

   (c) By adding at the end of subsection (4) of proposed section 63A of the Constitution the following:

   "provided that in the case of the bishop of a diocese such a board or body may only make a recommendation to the Primate or if the Primate is a party to the proceedings or is disqualified from acting or considers that he should disqualify himself from acting, the recommendation shall be made to the metropolitan or bishop who would exercise the authorities powers rights and duties of the Primate if the office were vacant".

   (d) By adding at the end of subsection (7) of proposed section 63A of the Constitution the following:

   "created by canon of General Synod";

   (e) By deleting from subsection (8) the words **"shall only lie by leave of the Review Tribunal and"** and by inserting at the end thereof the words **"and shall be limited to such grounds as may be specified by Canon of General Synod".**

   (f) By adding after subsection (9) the following new subsection and by renumbering subsection (10) subsection (11):

   "(10) In respect of any recommendation or determination of a board or body referred to in this section created by ordinance of a diocesan synod, any appeal or review shall be subject to and in accordance with the provisions of an ordinance of the diocesan synod."

CONSTITUTION AMENDMENT (SECTION 10) CANON 2007

Canon 8, 2007

The General Synod prescribes as follows:

Title

1. This Canon may be cited as the "**Constitution Amendment (Section 10) Canon 2007**".

Amendment of section 10

2. Section 10 of the Constitution is amended -

(a) by deleting the expression "**or incapacity of the Primate or during his absence from Australia for a period exceeding thirty days**" and by inserting in lieu thereof the expression, "**of Primate or in the event of the Primate being unable to perform the duties of Primate, or declaring, by written statement furnished in accordance with the provisions of this section, that he is unavailable to perform the duties of Primate, for a period of more than fourteen days because of illness, incapacity, absence from Australia or annual or long service leave**";

(b) by inserting after the paragraph amended above the following paragraph:

A written statement prepared by the Primate for the purposes of the preceding paragraph shall be furnished to the Metropolitan or bishop who is to act in the place of the Primate under that paragraph with a copy filed in the registry of the Primate.

CONSTITUTION AMENDMENT (SECTION 54A) CANON 2007

Canon 16, 2007

A canon to amend the Constitution in respect of persons licensed by the Primate in his capacity as Primate.

The General Synod prescribes as follows:

1. This Canon may be cited as the "Constitution Amendment (Section 54A) Canon 2007".

2. The Constitution is amended by inserting after section 54 the following new section:

54A (1) For the purposes of this section:

"Primate's licensee" means a person who holds or who has at any time held a licence from a Primate in the capacity as Primate, other than a bishop assistant to the Primate in the capacity as Primate;

"**professional standards matter**" means any information of whatever nature and from whatever source relating to the alleged misconduct or omission of a Primate's licensee wherever or whenever occurring, other than information concerning any alleged breach of faith, ritual or ceremonial.

(2) In respect of a Primate's licensee either of the following tribunals shall have jurisdiction to hear and determine a charge referred to in subsections (2) or (2A) of section 54 whenever or wherever the event or events giving rise to the charge may have occurred:

(a) the diocesan tribunal of the diocese of the Primate at the time when the charge is brought; or

(b) the diocesan tribunal of a diocese nominated by the Primate at the time when the charge is brought.

(3) Before nominating the tribunal of a diocese under subsection (2)(b) the Primate shall consult with the bishop of that diocese and with such other persons as may be prescribed by canon.

(4) Subject to the provisions of this section, in respect of proceedings brought against a Primate's licensee in a diocesan tribunal:

(a) the provisions of this Part and of any relevant diocesan ordinance shall apply as if the person were licensed by the bishop of the diocese in the tribunal of which the charge is brought and as if the Primate were the bishop;

(b) only a person nominated by the Primate may promote a charge against a Primate's licensee;

(c) only the Primate may suspend a Primate's licensee from the duties of his or her office to the extent that these duties arise from the Primate's licence, and the consent of the diocesan council shall not be required;

(d) a recommendation of the tribunal shall be made to the Primate;

(e) no appeal shall lie to a provincial tribunal;

(f) any costs and expenses reasonably incurred by –

(i) the diocese in the tribunal of which the charge is brought, and

(ii) by or on behalf of the Primate in respect of such a charge shall be paid out of funds under the control of the Synod and may be included in any assessment referred to in section 32.

(5) In respect of a Primate's licensee also holding a licence from a diocesan bishop:

(a) if the Primate suspends the Primate's licensee under sub-section (4)(c) the bishop may exercise the power of suspension referred to in sub-section 61(1) notwithstanding that no charge other than one under this section has been promoted against the Primate's licensee; and

(b) if the diocesan bishop suspends a Primate's licensee under section 61 the Primate may exercise the power of suspension referred to in sub-section (4)(a) notwithstanding that no charge has been promoted under this section.

(6) The Primate or his nominee may refer any professional standards matter concerning a Primate's licensee to the appropriate person or body of either:

(a) the diocese of the Primate; or

(b) a diocese nominated by the Primate.

(7) Before nominating a diocese under subsection (5) the Primate shall consult with the bishop of that diocese and with such other persons as may be prescribed by canon.

(8) Any professional standards matter referred under subsection (5) shall be dealt with in accordance with the provisions of any relevant ordinance of the diocesan synod or a rule or protocol in force in the diocese as if the Primate's licensee were licensed by the bishop of that diocese and as if the Primate were the bishop of that diocese.

(9) Any costs and expenses reasonably incurred –

(a) by the diocese to which a professional standards matter is referred under subsection (5), and

(b) by or on behalf of the Primate in respect of any such professional standards matter

shall be paid out of funds under the control of the Synod and may be included in any assessment referred to in section 32.

(10) Nothing contained in this section shall prevent the operation of any other provision of this Chapter in a diocese in respect of a Primate's licensee, provided that a Primate's licensee cannot be the subject of proceedings in more than one diocesan tribunal for the same charge or for a charge based on the same conduct.

(11) Nothing contained in this section shall prevent a Primate's licensee from being dealt with in respect of a professional standards matter in accordance with the provisions of any relevant ordinance of the diocesan synod of a diocese or a rule or protocol in force in that diocese.

(12) The exercise of any power under this section by the Primate or by any person nominated by the Primate shall be subject to and in accordance with the provisions of any canon of the General Synod.

3. This canon shall not come into effect until after the General Synod by canon authorises the President to appoint a date on which this canon shall come into effect in accordance with section 67(2) of the Constitution.

CONSTITUTION AMENDMENT (PROVINCES AND DIOCESES) CANON 2007

Canon 19, 2007

A canon to amend the Constitution with respect to provinces and dioceses.

The General Synod prescribes as follows:

Short title

1. This Canon may be cited as the "Constitution Amendment (Provinces and Dioceses) Canon 2007".

Provinces

2. The Constitution is amended by adding new sections 38A and 38B:

"**38A. Subject to section 38B, a province shall comprise a Metropolitan Diocese and one or more other dioceses.**

38B. A province may consist of a Metropolitan Diocese only, and for so long as that is the case, the provincial synod, the provincial council and the constitution of the province remain suspended and all powers of the provincial synod vest in the synod of the Metropolitan Diocese."

Emergencies

3. The Constitution is further amended by inserting after section 45 the following new section 45A:

"**45A. A diocesan Bishop, or if there be none in office, the administrator of a diocese, with the concurrence of the Diocesan Council and the approval of the Metropolitan and the Primate, may make such administrative arrangements for the emergency administration of that diocese as the bishop or administrator as the case may be considers appropriate provided that no such arrangement shall last longer than the termination of the next ordinary session of the General Synod unless such session by resolution authorizes its continuation.**"

Ancillary Amendments

4. The Constitution is further amended as follows:

(a) By amending section 52(2)

(i) by substituting the words "Metropolitan Diocese" for the words "metropolitan see"; and

(ii) by deleting the words "or to have associated with it three dioceses."

(b) By adding to section 74(1) in the appropriate alphabetical order:

"**Metropolitan Diocese**" means each of the dioceses of Sydney, Melbourne, Brisbane, Perth and Adelaide.

CONSTITUTION AMENDMENT (SECTION 30) CANON 2010

Canon 8, 2010

A canon to amend Section 30 of the Constitution.

The General Synod prescribes as follows:-

1. This Canon is the Constitution Amendment (Section 30) Canon, 2010

2. Section 30 of the Constitution is amended by adding immediately after the word "**thereafter**" in proviso (c) the words "**of its opinion and its reasons therefor**".

3. Section 30 of the Constitution is further amended by adding immediately after the word "**opinion**' where first occurring in proviso (c)(ii) the words "**as aforesaid**'.

CONSTITUTION AMENDMENT (PROVINCIAL COMPOSITION) CANON 2026

Canon 3, 2026

The General Synod prescribes as follows:

Title

1. This canon is the Constitution Amendment (Provincial Composition) Canon 2026.

Creating a new province

2. In section 37 of the Constitution, for "ratified by canon of General Synod" substitute "ratified by—

(a) canon of General Synod; or

(b) the Standing Committee of General Synod where two-thirds of all the members of the Standing Committee, including all the metropolitans and the Primate (if not a metropolitan), vote in favour of the ratification."

Typographical correction

3. In section 37 of the Constitution, for "preferred" substitute "referred".

Alteration of the composition of a province

4. For section 38 of the Constitution substitute:

"(1) A province may be altered either by an increase or by a decrease in the number of dioceses forming the province, if—

(a) where there is a constitution of the province, the alteration is in accordance with that constitution; and

(b) where there is no constitution of the province, each diocese in the province signifies its consent to the alteration.

"(2) An alteration under subsection (1) takes effect only when it is ratified by—

(a) canon of General Synod; or

(b) the Standing Committee of General Synod where two-thirds of all the members of the Standing Committee, including all the metropolitans and the Primate (if not a metropolitan), vote in favour of the ratification."

CONSTITUTION AMENDMENT (PROVINCIAL CONSTITUTIONS) CANON 2026

Canon 4, 2026

The General Synod prescribes as follows:

Title

1. This canon is the Constitution Amendment (Provincial Constitutions) Canon 2026.

Constitution of a new province

2. In section 40 of the Constitution, for "ratified by canon of General Synod" substitute "ratified by—

   (a) canon of General Synod; or

   (b) the Standing Committee of General Synod where two-thirds of all the members of the Standing Committee, including all the metropolitans and the Primate (if not a metropolitan), vote in favour of the ratification."

Alteration of the constitution of a province

3. In section 41 of the Constitution after the words "canon of General Synod" insert:

   "or by the Standing Committee of General Synod where two-thirds of all the members of the Standing Committee, including all the metropolitans and the Primate (if not a metropolitan), vote in favour of the ratification."

CONSTITUTION AMENDMENT (FIRST NATIONS BISHOPS) CANON 2026

Canon 5, 2026

The General Synod prescribes as follows:

For section 17(8)(a) of the Constitution, substitute:

"(a) For every session of Synod the members of Synod include—

(i) each person holding office as a First Nations Bishop under a Canon; and

(ii) non-diocesan representatives being—

A. an Aboriginal person in Holy Orders and a Torres Strait Islander in Holy Orders who shall be members of the House of Clergy; and

B. an Aboriginal lay person and a Torres Strait Islander lay person who shall be members of the House of Laity."

CONSTITUTION AMENDMENT (DEFENCE FORCE REPRESENTATION IN GENERAL SYNOD) CANON 2026

Canon 9, 2026

The General Synod prescribes as follows.

Title

1. This Canon may be referred to as the "Constitution Amendment (Defence Force Representation in General Synod) Canon 2026".

Enabling amendment

2. In the Constitution in section 17(1)—

   (a) for "each diocese" substitute "each diocese, the Bishop to the Defence Force appointed under a Canon,"; and

   (b) "for "Section 17(8)(a)(ii)" substitute "section 17(8)(a)(ii) or section 17(8)(a)(iia)".

Defence Force members of the House of Clergy

3. In section 17(8)(a)—

   (a) in paragraph (ii), omit "and"; and;

   (b) following section 17(8)(a)(ii) insert—

   "(iia) a bishop, priest or deacon who is a full-time chaplain in the Australia Defence Force, who shall be a member of the House of Clergy;".

PART 2

CANONS

ADMISSION TO HOLY COMMUNION CANON 1973

Canon 14, 1973

A canon for admission to holy communion.

Whereas it is desirable that this Church should make due provision to welcome Christians from other churches at the Holy Communion

Now therefore the General Synod prescribes as follows:-

1. A person is eligible to be admitted to the Holy Communion

   (a) if he is a member of this Church who has been confirmed or is ready and desires to be confirmed or if he is a communicant of a church in full communion with this Church or

   (b) if he

      (i) has been baptised in the name of the Holy Trinity and

      (ii) is a communicant member of another church which professes the Apostolic faith or

   (c)[1] if he has been baptised and is included in a class of persons authorised by a rule of General Synod to be admitted to the Holy Communion; or

   (d) if he has been baptised and is in immediate danger of death.

2. Where a priest ordinarily responsible for a congregation becomes aware that a person who is a customary member of the congregation and is eligible to be admitted to the Holy Communion by virtue of paragraph (b) of section 1 hereof, has regularly received the Holy Communion in this Church over a long period which appears likely to continue indefinitely, the priest shall bring to the notice of the person the ordinary requirements of this Church for persons desiring to be admitted regularly to the Holy Communion and ask him to comply with these requirements.

3. Where any clergyman is in doubt as to the application of this canon he may refer the matter to the bishop of the diocese for his guidance thereon.

4. The canon affects the order and good government of the church within a diocese and shall not come into force in any diocese unless and until the diocese by ordinance adopts the said Canon.

5. This canon may be cited as "Admission to Holy Communion Canon 1973".

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1 See Rule XXIII re: members of the Lutheran Church of Australia.

Resolution 74/85, passed on 31 August 1985 at the Seventh General Synod, is printed below to offer further clarification of the application of the Admission to Holy Communion Canon 1973.

RECEPTION OF HOLY COMMUNION IN OTHER CHURCHES BY ANGLICANS

General Synod Resolution 74/85

That General Synod assures communicant members of this Church who are invited to receive the Holy Communion in other Churches which profess the Apostolic Faith, including those without an episcopally ordained ministry, that they may receive the Holy Communion in good conscience and without fracturing their membership of the Anglican Church of Australia on occasions of the following kind:

- when isolated from the ministrations of this Church;

- when invited to be present for family, personal and professional reasons, and

- on other occasions permitted by the Ordinary.

ALLOCATION OF FUNDS CANON 1995

Canon 7, 1995

A canon to authorise the dispersal of surplus funds held within the accounts of General Synod for which no other provision has been made.

Whereas -

A. by Deed bearing date 17 August 1979 made between N.M. Cameron as Settlor and the Anglican Church Trust Corporation, a fund therein and herein called the Settled Fund was established to be used for the promotion of religion in Australia by such means as the General Synod may determine from time to time by canon,

B. certain monies have accrued to the General Synod accounts by way of interest, gifts, trading profits and otherwise,

C. it is expedient to make provision for the dispersal of such moneys:

now the General Synod prescribes as follows:

1. This canon may be cited as the "Allocation of Funds Canon 1995".

2. Subject to sections 3 and 5, the Settled Fund or any part thereof may, under the authority of a resolution of the Standing Committee:

   (a) be paid into the General or Statutory Fund of the General Synod;

   (b) be used to pay in whole or in part any budget item which has been included in any budget of the General Synod in respect of which item an assessment for the Special Fund has been levied.

3. No payment shall be made under section 2 unless the Standing Committee is satisfied that such payment is for the promotion of religion in Australia.

4. Subject to section 5, any moneys of the General Synod other than those accruing by virtue of an assessment made under section 32 of the Constitution or any Special Assessment may, under the authority of the Standing Committee, be paid out in either of the ways specified in section 2 or otherwise for the benefit of The Anglican Church of Australia, any diocese thereof or any church in communion with The Anglican Church of Australia.

5. This Canon shall not apply to any moneys held by General Synod on trust for any particular persons or purposes other than the Settled Fund.

ALTERNATIVE TABLES OF LESSONS CANON 1985

Canon 17, 1985 as amended by Canon 15, 1992

A canon to authorise the use of certain Alternative Tables of Lessons.

The General Synod prescribes as follows:

1. This canon may be cited as "Alternative Tables of Lessons Canon 1985".

2.[1] The use by this Church of the Table of Lessons set out in the Schedule hereto is hereby authorised until a date to be fixed by canon of General Synod.

3. Nothing in Section 2 affects the use of Tables in the Book of Common Prayer or in An Australian Prayer Book 1978 or of any other Tables duly authorised at the time when this canon comes into effect.

4. The synod of a diocese may by ordinance regulate the use in the diocese of the Table set out in the Schedule.

5. (1) Subject to this section, the bishop of a diocese may, upon request being submitted to him, authorise deviations from the Table of Lessons set out in the Schedule.

(2) The procedures set out in the second and third provisos to section 4 of the Constitution apply to and in relation to the submission of requests to the bishop of a diocese under sub-section (1) in like manner as they apply to and in relation to the submission of requests for deviations from the Book of Common Prayer.

(3) Nothing in this section permits a deviation contravening a principle of doctrine or worship referred to in section 4 of the Constitution.

6. This canon affects the order and good government of the Church within a diocese and shall not come into force in any diocese unless and until the diocese by ordinance adopts the canon.

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[1] Amended by Canon 15, 1992.

SCHEDULE

Alternative Tables of Lessons

Preface

The Three Year Lectionary for use at Holy Communion was introduced to our Church as part of An Australian Prayer Book 1978. It has been welcomed by many because of the ecumenical fellowship it expresses and because of the greater variety of readings provided over a three year period.

However, its good points have not blinded us to its imperfections. On occasions, the verse at which a reading commences or concludes does not work as well in the Revised Standard Version as in the Jerusalem Bible on which this Lectionary was based. Some Old Testament lessons seem inadequate in themselves or unsatisfactory in their connection with the theme of the Gospel. Some selections from the Epistles are also regarded as being inadequate in length and content. We have received numerous submissions to this effect and felt bound to respond by providing a modest revision of the Lectionary.

Although the Commission is convinced that a revision is warranted, it would not want to act unilaterally. A major revision of the Lectionary should be undertaken in consultation with other English speaking churches using the same Lectionary. Such negotiations have been commenced through A.C.O.L. (the Australian Consultation on Liturgy) and also through E.L.L.C. (the English Language Liturgical Consultation) which has been established to continue and expand the work of I.C.E.T. (the International Consultation on English Texts). An ecumenical consultation in North America (the consultation on common texts) has prepared a draft revision which is being field tested in Australia and elsewhere. The results of this pilot scheme will be considered by E.L.L.C. in due time. However, it will be some time before a decision can be made on this revision, and there is no certainty that it will be adopted in its present form. In the meanwhile, the Commission has prepared a modest revision of the Lectionary for the immediate use of our church.

1. The choice of the Gospel is either unaltered or extended. By retaining the Gospel, much of the ecumenical dimension of the Lectionary is maintained.

2. The major changes are demonstrated in the choice of Old Testament lessons to reflect the theme of the Gospel more adequately and to provide a more substantial coverage from the Old Testament.

3. Some in course readings from the epistles have been rearranged so as to achieve a more adequate coverage.

In general, the modifications to the Lectionary make a revision worthwhile but are not so extensive as to alter its basic style or identity.

Whilst the Primary thrust of this revision deals with the Three Year Lectionary, there are also some additional readings offered for use at Morning and Evening Prayer so as to provide alternative Old Testament lessons when a passage from the Apocrypha is offered on its own.

It is the intention of the Commission to use these Tables as the basis for the annual publication of "The Australian Lectionary".

However, those who wish to continue using the Three Year Lectionary as set out in An Australian Prayer Book may continue to do so by recourse to that book. Those who use the Grail version of the psalms may continue to do so, though the appropriate verse numbers are not stated in this revised Lectionary simply for economy of space. Furthermore, those who use printouts of the Lectionary provided by various commercial organisations may continue to do so in so far as they relate to the Three Year Lectionary as printed in An Australian Prayer Book. The Commission offers this revision to help the Church explore more adequately the potential of the Three Year Lectionary. Thus, we might all "continually profit more and more in the knowledge of God and be more inflamed with the love of his true religion".

Alfred Holland
Bishop of Newcastle
Chairman of the Liturgical Commission

READINGS FOR THE HOLY COMMUNION
(THREE YEAR SERIES)

The tables of lessons which form the remainder of the Schedule may be accessed in earlier editions of this book, or in the Proceedings of the 1985 Session of Synod.

ANGLICAN BOARD OF MISSION – AUSTRALIA CANON 2001

Canon No. 9, 2001

A canon to repeal the Anglican Board of Mission – Australia Canon 1995-1998 and to make provision for the continued operation of the Anglican Board of Mission – Australia as an organisation incorporated under Corporations Law.

Determination I	on November 4, 1886
Determination V	on October 3, 1891
Determination IX	on October 12, 1905
Determination I	on October 13, 1916
Determination VI	on October 11, 1921
Determination I	on October 26, 1926
Determination V	on September 12, 1945
Determination III	on November 28, 1950
Canon 13, 1966	
Canon 8, 1995	
Canon 8, 1998	

The General Synod prescribes as follows:

Title

1. This canon may be called the "Anglican Board of Mission – Australia Canon 2001".

The Board

2. The Anglican Board of Mission – Australia established by the Anglican Board of Mission – Australia Canon 1995-1998 continues in existence under and subject to this canon.

Incorporation

3. The General Synod consents to the incorporation of the Anglican Board of Mission – Australia in accordance with the constitution set out in the Schedule to this canon.

Repeal

4. The Anglican Board of Mission – Australia Canon 1995-1998 is repealed when the incorporation authorised by this canon takes effect.

Standing Committee of General Synod

5. The Standing Committee of General Synod is authorised to do such things as the Schedule to this canon requires of it.

   The Standing Committee is also authorised to give consent on behalf of the General Synod,

   (a) to any alterations to the constitution set out in the Schedule to this canon or any alteration required by a public authority and

   (b) any amendment to such constitution that is in the view of the Corporate Trustee expedient to be made for the efficient management of The Anglican Board of Mission - Australia.

Financial Protection Canon

6. The Financial Protection Canon 1998 applies as if the name of the Company referred to in the Schedule appeared in the Schedule to such canon.

Transitional

7. Except as provided by this canon and its Schedule expressly or by necessary implication all people things and circumstances appointed or created by or under the former canon continue to have the same status operation and effect as they respectively would have had if the former canon had not been repealed.

8. The Schedule may be omitted in any reprint of this canon after 31 December 2001.

SCHEDULE

Constitution of the Anglican Board of Mission – Australia
A Public Company Limited by Guarantee

Because of extensive changes to the Schedule, a link to the ABM website is included below:

www.abmission.org

APPELLATE TRIBUNAL CANON 1981[1]

Canon 12, 1981 as amended by
Canon 17, 1981
Canon 1, 1992
Canon 3, 1998
Canon 5, 2010[2]
Canon 1, 2017
Canon 3, 2017

A canon to repeal the Appellate Tribunal Canon 1962 and to provide for the appointment of members to the Appellate Tribunal.

The General Synod prescribes as follows:

1. This canon may be cited as the "Appellate Tribunal Canon 1981".

2. The Appellate Tribunal Canon 1962 is repealed and the seats of all members of the Appellate Tribunal are declared vacant.

3. (1) Synod on the nomination of the House of Bishops appoints the persons named in the First Part of the Schedule to be members of the Appellate Tribunal;

(2) Synod on the nomination of the House of Clergy appoints the persons named in the Second Part of the Schedule to be members of the Appellate Tribunal; and

(3) Synod on the nomination of the House of Laity appoints the persons named in the Third Part of the Schedule to be members of the Appellate Tribunal.

3A.[3] The Primate is disqualified from becoming a member of the Appellate Tribunal.

4.[4] The office of a member of the Appellate Tribunal is vacated at the commencement of the ordinary session of Synod that next occurs after the member has attained the age of 75 years or when the member –

(a) dies;

(b) resigns;

(c) is declared by any competent Court incapable of managing his or her affairs;

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1 Pursuant to Canon 3, 1998, Section 1(2) the Canon as amended may be cited as the "Appellate Tribunal Canon 1981-1998".
2 Repealed by Canon 3, 2017.
3 Added by Canon 1, 2017.
4 Replaced by Canon 1, 2017.

(d) ceases to reside permanently in Australia;

(e) is convicted by any Court of any offence punishable by imprisonment;

(f) being a bishop, ceases to be a diocesan bishop; or

(g) becomes the Primate.

4A.[5] (1) If the seat of any member of the tribunal is or becomes vacant while Synod is in session then the members of the house which nominated the member whose seat on the tribunal has become vacant shall at that session nominate a person to fill the vacancy.

(2) Any rule relating to the election of a person to any office by the house concerned shall apply *mutatis mutandis* to the nomination of a person pursuant to this section.

(3) A person nominated to fill a vacancy in accordance with this section shall by virtue of this canon become a member of the tribunal.

4AB[6] (1) Despite section 4, if the office of a member of the Appellate Tribunal has become vacant only because the person who was that member –

(a) has attained the age of 75 years,

(b) being a bishop has ceased to be a diocesan bishop, or

(c) has become the Primate –

and at the time of the office becoming vacant the member is participating in the disposition of an appeal, question or matter (to an extent greater than participating in directions hearing or other procedural steps) that person remains a member of the Appellate Tribunal for the purposes only of participating in and concluding that appeal, question or matter.

(2) Sub-section (1) does not affect the operation of section 4.

(3) Despite section 7C, if -

(a) the place of a member of the Appellate Tribunal has been taken by another person under section 7B(2),

(b) that other person is participating in the disposition of an appeal, question or matter (to an extent greater than participating in directions hearings or other procedural steps) made or referred to the Appellate Tribunal; and

5 Added by Canon 1, 1992.
6 Replaced by Canon 3, 2017.

(c) the appeal, question or matter has not been disposed of at a time when, but for this sub-section, the person would cease to be eligible to participate in the disposition of that appeal, question or matter because of the commencement of the next ordinary session of Synod or because that other person –

(i) has attained the age of 75 years,

(ii) being a bishop has ceased to be a diocesan bishop, or

(iii) has become the Primate –

that other person remains eligible to participate in and conclude that appeal, question or matter.

5.[7] If the seat of any member of the Appellate Tribunal becomes vacant while Synod is not in session and it becomes necessary or desirable for the vacancy to be filled before the next ordinary session of Synod the Primate shall cause the General Secretary to notify the members of the house which nominated the member whose seat on the Tribunal has become vacant that such vacancy is to be filled, to invite the submission of names of candidates for nomination by the house and to notify them of the date fixed by the Primate, being a date not less than six weeks after posting such notification by which such names should be submitted. If no more names are received than the number of vacant seats to be filled the General Secretary shall declare the persons named to be persons nominated by the house concerned for appointment to the Tribunal, otherwise he or she shall conduct a postal or other ballot among the members of the house concerned to determine the persons nominated by such house for appointment as aforesaid, such ballot to be conducted in accordance with the rules for the time being in force for the conduct of ballots with such modifications as are necessary and the General Secretary shall declare the persons who are successful in such ballot to be persons nominated by the house concerned for appointment to the Tribunal. Upon the Secretary declaring a person to be nominated for appointment as aforesaid the person shall become a member of the Tribunal.

6. Any bishop who vacates office upon ceasing to be a diocesan bishop having accepted appointment to the office of diocesan bishop of another diocese, shall, on installation as bishop of that other diocese, be automatically reappointed as a member of the Tribunal.

7. Any vacancy not filled pursuant to sections 5 and 6 shall be filled at the next ordinary session of Synod by the appointment by the Synod of a qualified person nominated by the house which nominated the member whose seat has become vacant.

7A.[8] (1) At each ordinary Session there is to be elected to an Appellate Tribunal Reserve List by the General Synod voting together and not by houses—

(a) two diocesan bishops; and

(b) two members of the laity qualified to be lay members of the Appellate Tribunal.

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7 Amended by Canon 1, 2017.

8 Added by Canon 3, 2017.

(2) One diocesan bishop on the Appellate Tribunal Reserve List is the first reserve diocesan bishop and the other is the second reserve diocesan bishop determined by agreement between them or, in the absence of agreement, by lot.

(3) One member of the laity on the Appellate Tribunal Reserve List is the first reserve lay member and the other is the second reserve lay member determined by agreement between them or, in the absence of agreement, by lot.

7B.[9] (1) This section applies if, before the Appellate Tribunal commences to dispose of an appeal, question or matter (to an extent greater than conducting directions hearings or other procedural steps) made or referred to the Appellate Tribunal, a member of the Appellate Tribunal—

(a) has vacated office as a member by virtue of section 4;

(b) is unavailable to participate in the hearing of a matter due to an apprehension of bias or a conflict of interest;

(c) in relation to a matter that involves or may involve the exercise of discipline within a diocese, is the diocesan bishop of that diocese;

(d) declares that he or she is unavailable to participate in the hearing of a matter for any reason; or

(e) is or becomes temporarily incapable of acting.

(2) If this section applies, the member may not have any further part in hearing or disposing of that appeal, question or matter, and the place of that member on the Appellate Tribunal in relation to that appeal, question or matter is to be taken –

(a) if the member is or was a bishop –

(i) by the first reserve diocesan bishop; or

(ii) where if the first reserve diocesan bishop were a member of the Appellate Tribunal this section would apply in respect of that bishop, by the second reserve diocesan bishop; and

(b) if the member is or was a member of the laity –

(i) by the first reserve lay member; or

(ii) where if the first reserve lay member were a member of the Appellate Tribunal this section would apply in respect of that lay member, by the second reserve lay member.

9 Added by Canon 3, 2017.

7C.[10] A person ceases to be a member of the Appellate Tribunal Reserve List at the commencement of the next ordinary session of Synod or when the person –

(a) dies;

(b) resigns;

(c) is declared by any competent Court incapable of managing his or her affairs;

(d) ceases to reside permanently in Australia;

(e) is convicted by any Court of any offence punishable by imprisonment;

(f) being a bishop, ceases to be a diocesan bishop; or

(g) becomes the Primate.

8. The House of Bishops may make regulations prescribing the manner in which the President and the Deputy President of the Appellate Tribunal shall be chosen.

9. The Appellate Tribunal shall publish the reasons for the decision in relation to every determination hearing opinion or reference heard by it.

10.[11] The following courts are specified for the purpose of section 57 of the Constitution:

The Federal Court of Australia
The Family Court of Australia
The Family Court of Western Australia
The District Court or County Court of any State of Australia.

11.[12] In this canon, Primate means the person who holds the office of Primate under the Primate Canon 1995 and does not include the Acting Primate.

12.[13] This canon is not a canon referred to in the first sentence of section 57(3) of the Constitution.

10 Added by Canon 3, 2017.
11 Added by Canon 3, 1998.
12 Added by Canon 1, 2017.
13 Added by Canon 3, 2017.

THE SCHEDULE [14]

First Part

The Bishop of Canberra and Goulburn, the Right Reverend C. A. Warren
Mr. K. R. Handley, Q.C.

Second Part

The Archbishop of Adelaide, the Most Reverend K. Rayner
Mr. Justice Cox

Third Part

The Bishop of Newcastle, the Right Reverend A. C. Holland
Mr. Justice Tadgell
Mr. P. W. Young, Q. C.

NOTE

The following changes in the membership of the Appellate Tribunal have occurred since 1981 -

First Part [Nominated by House of Bishops]

1985 The Archbishop of Sydney, the Most Reverend D. W. B. Robinson, was appointed in the place of the Right Reverend C. A. Warren.

1992 The Archbishop of Adelaide, the Most Reverend I. G. C. George, was appointed in the place of the Most Reverend D. W. B. Robinson.

2004 The Archbishop of Brisbane, the Most Reverend P. J. Aspinall, was appointed in the place of the Right Reverend I. G. C. George.

2004 Mr M Horton, OAM was appointed in the place of the Honourable K. R. Handley.

2014 The Honourable C Croft was appointed in the place of Mr M Horton, OAM.

2023 The Bishop of Gippsland, the Right Reverend R Treloar was appointed in the place of the Most Reverend P.J. Aspinall.

2026 The Hon Justice C Bydder was appointed in the place of The Hon C Croft.

[14] Schedule added by Canon 17, 1981.

Second Part [Nominated by House of Clergy]

1992 The Bishop of Bathurst, the Right Reverend B. W. Wilson, was appointed in the place of the Most Reverend K. Rayner.

1995 Mr D. J. Bleby, Q.C., was appointed in the place of Justice Cox.

2001 The Bishop of Armidale, the Right Reverend P. R. Brain, was appointed in the place of the Right Reverend B. W. Wilson.

2010 The Honourable R. C. Refshauge was appointed in the place of the Honourable D. J. Bleby.

2013 The Bishop of Wangaratta, the Right Reverend A. J. Parkes AM was appointed in the place of the Right Reverend P. R. Brain.

2022 The Archbishop of Sydney, the Most Reverend K. Raffel, was appointed in the place of the Right Reverend A. J. Parkes AM.

2026 Mr M Easton was appointed in the place of The Honourable R. C. Refshauge.

Third Part [Nominated by House of Laity]

1992 The Bishop of Armidale, the Right Reverend P. Chiswell, was appointed in the place of the Right Reverend A. C. Holland.

2000 The Bishop of North West Australia, the Right Reverend A. H. Nichols, was appointed in the place of the Right Reverend P. Chiswell.

2003 The Bishop of Newcastle, the Right Reverend R. A. Herft, was appointed in the place of the Right Reverend A. H. Nicholls.

2004 The Honourable K. Mason was appointed in the place of the Honourable R. C. Tadgell.

2010 Ms G. Davidson was appointed in the place of the Honourable P. W. Young, AO.

2016 The Bishop of Ballarat, the Right Reverend G. J. Weatherill, was appointed in the place of the Most Reverend R. A. Herft.

2022 Justice D. Mullins AO was appointed in the place of the Honourable K. Mason AC.

2022 Justice M. Meek was appointed in the place of Ms G. Davidson.

APPELLATE TRIBUNAL PROCEDURE CANON 1962

Canon 6, 1962 as amended by Canon 12, 1992

A canon prescribing matters incidental to the exercise of jurisdiction by the Special Tribunal and the Appellate Tribunal.
(Section 59 of the Constitution)

The General Synod prescribes as follows:-

1. - 9.[1]

Appellate Tribunal

10. An appeal to the Appellate Tribunal from the Special Tribunal, a provincial tribunal or a diocesan tribunal may be lodged in the Registry of the Primate within twenty-eight days after the pronouncement of Sentence or within such further time as the President may in writing allow and in such form as the Appellate Tribunal shall prescribe.

11. The Appellate Tribunal may regulate procedure on the hearing of any appeal before it and a copy of any rules[2] of procedure made by it shall be lodged in the Registry of the Primate.

12. The appellant and any other party to the appeal may appear on the hearing of the appeal by counsel or solicitor.

13. The Appellate Tribunal may make orders for the payment of costs of the parties before it and, in order to ensure that any such order as it may make will be satisfied, may require the appellant to lodge with it security for a sum of money to abide any order as to costs as it may see fit to make as a term and condition of hearing the appeal.

14. The Appellate Tribunal on hearing a reference of any matter or a question referred to it for determination may direct how the costs occasioned by the determination of the reference or question should be provided and if the said direction shall impose a burden of costs on any diocese or member or members of General Synod such diocese, member or members shall pay the same in accordance with the direction, and Standing Committee may take into consideration such direction in estimating the costs to be provided by the dioceses for the sittings of the Appellate Tribunal.

15.[3] This canon may be cited as the Appellate Tribunal Procedure Canon 1962.

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1 Sections 1 to 9 Repealed by Canon 12, 1992.
2 The Appellate Tribunal Rules 1988 are available from the General Synod Office, Sydney.
3 Replaced by Canon 12, 1992.

ARCHDEACONS CANON 1995

Canon 12, 1995

A canon concerning Archdeacons.

The General Synod prescribes as follows -

1. This Canon may be cited as the "Archdeacons Canon 1995".

Authority

2. A Bishop may, subject to compliance with any diocesan legislation, collate a qualified person as an Archdeacon either for a set period or until the next vacancy in the See or otherwise as permitted by diocesan legislation or custom.

Qualified person

3. A person is qualified to be collated as Archdeacon if that person is in Holy Orders.

Coming into force by adoption

4. The provisions of this Canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese, by ordinance, adopts it.

ASSISTANT BISHOPS' CANON (THE), 1966

Canon 4, 1966

A canon to regulate the appointment of Assistant Bishops.

The General Synod prescribes as follows:

1. The synod of any diocese may from time to time create the office of assistant bishop and may create more than one such office.

2. The appointment of an assistant bishop, whether the office has been created before or after this canon shall come into force, shall be made by the bishop of the diocese with the concurrence of the Diocesan Council.

3. Before making any such appointment the bishop of the diocese shall notify the Primate. of his intention of making the appointment and inform him of the stipend provided for the occupant of the office.

4. No appointment shall be made until the Primate has informed the bishop of the diocese in writing that the Metropolitans or a majority of them are satisfied that a sufficient stipend has been provided for the occupant of the office.

5. No priest appointed to the office of an assistant bishop in a diocese within a province shall be consecrated unless his appointment as to canonical fitness has been confirmed as prescribed by ordinance of the provincial synod or if there be no such ordinance or if the diocese be not within a province unless his appointment as to canonical fitness has been confirmed by the Primate and one or more metropolitans.

6. An assistant bishop shall be licensed by the bishop of the diocese and shall undertake such work and perform such episcopal acts as may be required or permitted by the bishop of the diocese.

7. An assistant bishop shall continue in office notwithstanding a vacancy in the see.

8. No assistant bishop shall be appointed with a right of succession to the see.

9. "**Assistant bishop**" in this canon shall include a coadjutor bishop or other bishop assistant to the bishop of the diocese.

10. Determination II of the Session of 1896 of the General Synod of the Dioceses of the Church of England in Australia and Tasmania as amended shall cease to have any operation in a diocese upon the adoption of this canon by that diocese.

11. The provisions of this canon affect the order and good government of the Church within a diocese and shall not come into force unless and until the diocese by ordinance adopts it.

12. This canon may be cited as "The Assistant Bishops' Canon, 1966".

AUSTRALIAN PRAYER BOOK CANON 1977

Canon 1, 1977

A canon to authorise the use of "An Australian Prayer Book", and for related purposes.

The General Synod prescribes as follows:

1. This canon may be cited as the Australian Prayer Book Canon 1977.

2. In this canon, unless the contrary intention appears - "**Australian Prayer Book**" means the prayer book prepared by the Liturgical Commission under the name "**An Australian Prayer Book**" and amended and approved by Synod; "**Book of Common Prayer**" has the same meaning as in the Constitution; "**Constitution**" means the Constitution of the Church of England in Australia; "**this Church**" means the Church of England in Australia.

3. (1) The use of the Australian Prayer Book by this Church is hereby authorised.

   (2) The admission of persons to an office of bishop, priest or deacon in this Church in accordance with the appropriate form in the Ordinal included in the Australian Prayer Book is hereby authorised.

   (3) Nothing in sub-section (1) or (2) or section 4 affects:

      (a) the use of the Book of Common Prayer in accordance with the provisions of the Constitution;

      or

      (b) the admission of a person to an office of bishop, priest or deacon in this Church as if this canon had not been made.

4. The synod of a diocese may, by ordinance, regulate the use of the Australian Prayer Book at services held in the diocese.

5. (1) Subject to this section, the bishop of a diocese may, upon request being submitted to him, authorise deviations from the Australian Prayer Book.

   (2) The procedures set out in the second and third provisos to section 4 of the Constitution apply to and in relation to the submission of requests to the bishop of a diocese under sub-section (1) in like manner as they apply to and in relation to the submission of requests for deviations from the Book of Common Prayer.

(3) Nothing in this section permits a deviation contravening a principle of doctrine or worship referred to in section 4 of the Constitution.

6. A person made deacon, ordained priest or consecrated bishop in the Church of England in Australia in accordance with a form in the Ordinal contained in the Australian Prayer Book is, for the purposes of the application of Articles 36 of the Articles of Religion, sometimes called the 39 Articles, rightly, orderly and lawfully made, ordained or consecrated, as the case may be.

AUTHORISED LAY MINISTRY CANON 1992

Canon 17, 1992

A canon concerning authorised lay ministry.

Whereas ministry is of the essence of the life of the whole body of Christ:

and whereas all baptised persons are called to minister in the Church and in the world:

and whereas certain persons are called to a public and representative lay ministry within and on behalf of this Church:

and whereas it is desirable for the sake of decency and good order within this Church to recognise and regulate certain of those public and representative ministries:

now therefore the General Synod prescribes as follows:

Short title

1. This canon may be cited as the Authorised Lay Ministry Canon 1992.

Definition

2. In this canon, "**lay ministry**" means a lay ministry referred to in section 3 but does not include any function required by the discipline or doctrine of this Church to be exercised or performed only by a deacon, priest or bishop.

Authority

3. (1) A lay person who is a communicant member of this Church may be authorised by the bishop of a diocese to exercise within and for this Church in that diocese one or more of the following lay ministries:

(a) the reading and conduct of authorised services of this Church;

(b) the preaching of sermons;

(c) assistance to the priest in the ministration and distribution of the Holy Communion;

(d) any other lay ministry declared by the bishop of the diocese to be an authorised lay ministry for the purposes of this canon.

(2) An authority under sub-section (1) may be limited by reference to all or any of the following:

(a) the nature of the functions authorised to be performed;

(b) the person or persons at whose request or by whose authority the functions may be performed;

(c) the place at which and the period during which the functions may be performed.

(3) The bishop of a diocese may revoke an authority given under this section.

Diocesan bishop may prescribe certain rules

4. Except as otherwise provided by the synod of the diocese, the bishop of a diocese may prescribe -

(a) the qualifications of persons who may be authorised to exercise a particular lay ministry;

(b) the procedure for authorising persons to exercise a particular lay ministry;

(c) the form of an authority to exercise a particular lay ministry;

(d) the duties and functions which may be performed under an authority to exercise a particular lay ministry.

(e) the manner in which the duties and functions of a particular lay ministry are to be performed; and

(f) the vesture to be worn by persons performing any particular function in accordance with an authority to exercise a particular lay ministry.

Authority of bishop

5. The provisions of this canon shall not operate to restrict any authority of the bishop or synod of a diocese or to preclude any practice in a diocese relating to a particular lay ministry.

Repeal

6. The Lay Assistants at Holy Communion Canon 1973 ceases to have effect in a diocese that adopts this canon by ordinance of the synod of the diocese.

Coming into force by adoption

7. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese, by ordinance, adopts it.

BISHOP (INCAPACITY) CANON 1995

Canon 18, 1995 as amended by Canon 1, 1998

A canon to provide for the vacation of the See of a bishop incapable of fulfilling office and for other purposes.

The General Synod prescribes as follows:

Short title

1. This canon may be cited as the "Bishop (Incapacity) Canon 1995".

Definitions

2. In this canon -

"**incapable**", in relation to a person who is the bishop of a diocese, means -

(a) incapable, continuously or intermittently, of managing the person's affairs; or

(b) by reason of a physical or mental disability of any kind, unable, continuously or intermittently, to make reasonable judgments in respect of matters relating to all or any part of the carrying out of the person's affairs or the affairs of the person's office as the bishop of the diocese;

"**registra**r", in relation to a diocese, means the person holding office as the chief executive officer (by whatever name called) of the registry of the bishop of the diocese, and includes a person acting in such an office;

"**relevant Metropolitan**", in relation to the bishop of a diocese, means -

(a) unless paragraph (c) or (d) applies, the Metropolitan of the Province in which the diocese is situated; or

(b) if the diocese is an extra provincial diocese, the Primate; or

(c) if the bishop is the Metropolitan but not the Primate, the Primate; or

(d) if the bishop is the Primate, the person who, at the relevant time, is the next most senior Metropolitan who is available, seniority being determined by the date of consecration.

Where court, tribunal or other body determines bishop incapable

3.[1] (1) If a court, tribunal or other body established by law having authority to make such orders, makes an order an effect of which is that a person who is the bishop of a diocese is declared, determined or otherwise found to be incapable, the relevant Metropolitan may, subject to section 12, by notice in writing given to the registrar of the bishop's diocese, declare the See vacant.

(2) The relevant Metropolitan, before making a declaration under sub-section (1), shall make or cause to be made an enquiry of a chancellor of a diocese of the Anglican Church of Australia and such other enquiries as the relevant Metropolitan thinks fit.

(3) The relevant Metropolitan shall cause a copy of the notice under sub-section (1) to be given to the bishop to whom it relates, to the registrar of the relevant Metropolitan's diocese and, unless the bishop is the Primate, to the Primate.

Where suspected inability reported to relevant Metropolitan

4. If three members of the synod of a diocese consider on reasonable grounds that the bishop of the diocese may be incapable, those members may, in writing, report the matter to the relevant Metropolitan.

Relevant Metropolitan may appoint panel of inquiry

5. (1) The relevant Metropolitan, upon receiving a report under section 4, may, if the relevant Metropolitan considers it appropriate, appoint a panel to inquire into the matter the subject of the report.

(2) The panel shall consist of at least 3 persons appointed by the relevant Metropolitan, at least one of whom is a qualified medical practitioner and at least one of whom is a qualified legal practitioner.

(3) The relevant Metropolitan shall appoint one of the members of the panel to chair the panel.

(4) Subject to this canon, the panel shall determine its own procedure.

Authority to Disclose Information

6. This canon shall be sufficient authority from the Bishop concerned, who shall be deemed to have given such authority, for any medical practitioner who has treated the Bishop at any time in the previous 2 years to disclose information relating to the Bishop's medical condition to the panel, or the Tribunal, or any member thereof.

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[1] Cross references in sections 3, 8, 9, 10 and 11 were amended by Canon 1, 1998.

Report by panel

7. (1) A panel appointed under this canon shall report to the relevant Metropolitan within 2 months after being appointed or, if the relevant Metropolitan approves a longer period, within that longer period.

(2) The relevant Metropolitan -

(a) shall send a copy of the report of the panel to the bishop of the diocese; and

(b) if the panel reports that it considers that there are reasonable grounds for considering that the bishop is incapable, shall, in writing, ask the bishop for a response to the report within 21 days after the bishop receives the copy.

Suspension of bishop from office

8. (1) If the panel reports that it considers that there are reasonable grounds for considering that the bishop is incapable, the relevant Metropolitan may, by notice given to the bishop, suspend the bishop from office.

(2) The relevant Metropolitan shall cause a copy of the notice under sub-section (1) to be given to the registrar of the bishop's diocese, to the registrar of the relevant Metropolitan's diocese and, unless the bishop is the Primate, to the Primate.

(3) The suspension -

(a) has effect as an absence of the bishop from the See; and

(b) ceases to have effect -

(i) upon a determination by a tribunal appointed under section 10 or 11 that the bishop is not incapable; or

(ii) upon the See becoming vacant (whether or not under this canon)

whichever first occurs.

See may be declared vacant if report not contested

9. (1) Unless the bishop of a diocese to whom a report is sent under section 7 contests the report in accordance with section 10, the relevant Metropolitan may, subject to section 12 by notice given to the bishop, declare the See vacant.

(2) The relevant Metropolitan shall cause a copy of the notice under sub-section (1) to be given to the registrar of the bishop's diocese, to the registrar of the relevant Metropolitan's diocese and, unless the bishop is the Primate, to the Primate.

Where report of panel contested

10. (1) If the bishop of a diocese, by notice in writing given to the relevant Metropolitan within 21 days after receiving the copy of a report under section 7, contests the report, the relevant Metropolitan shall appoint a tribunal to determine the matter.

(2) The tribunal shall consist of 3 persons appointed by the relevant Metropolitan of whom one shall be a chancellor of a diocese of the Anglican Church of Australia, who shall be president of the tribunal, one shall be a bishop of another such diocese and one shall be a qualified medical practitioner.

(3) A person who has been concerned in any way with an investigation or report into the capacity of the bishop, or who is or has been a member of the synod of that diocese while that bishop has been the bishop of the diocese, is ineligible to be a member of a tribunal appointed under this section in relation to the bishop.

(4) Subject to this canon, the tribunal shall determine its own procedure.

Determination by tribunal under section 9 and appeal

11. (1) The tribunal under section 10 shall determine whether or not, in its opinion, the bishop of the diocese is incapable and shall report its determination in writing to the relevant Metropolitan.

(2) The relevant Metropolitan shall give a copy of the determination of the tribunal under section 10 to the bishop to whom it relates and to the registrar of the bishop's diocese.

(3) The bishop may appeal, on a question of law only, from a determination of the tribunal under section 10 to a tribunal consisting of the members for the time being of the Appellate Tribunal.

(4) Subject to this canon, the procedure of a tribunal under this section shall, so far as practicable, be the procedure of the Appellate Tribunal.

(5) If the bishop does not, within 7 days after a copy is given to the bishop or the registrar of the bishop's diocese, whichever is the later, of a determination of the tribunal under section 10 that the bishop is incapable, give notice in writing to the Registrar of the Appellate Tribunal of an appeal to the tribunal under this section on a question of law, the relevant Metropolitan may, subject to section 12 by notice in writing given to the bishop or the registrar of the bishop's diocese, declare the See vacant.

(6) If the bishop appeals on a question of law in accordance with sub-section (5) and the tribunal under this section, in determining the appeal, upholds the determination of the tribunal under section 10, the relevant Metropolitan may, subject to section 12 by notice in writing given to the bishop or the registrar of the bishop's diocese, declare the See vacant.

(7) The relevant Metropolitan shall cause a copy of a notice under sub-section (5) or (6) to be given to the registrar of the relevant Metropolitan's diocese and, unless the bishop is the Primate, to the Primate.

(8) Despite section 8(3), if a bishop who is suspended from office under section 8(1) appeals to a tribunal under this section, the suspension continues until -

(a) the tribunal under this section determines that the bishop is not incapable; or

(b)[2] the See becomes vacant (whether or not under this canon) -

whichever first occurs.

Consultation with Diocesan Council or Standing Committee

12. Before declaring a See vacant in accordance with the provisions of this canon the relevant Metropolitan shall convene a meeting in the diocese concerned, of the members of the relevant Diocesan Council or Standing Committee in order to consult with them as to the making or implementation of any declaration of the vacancy in the See.

Reimbursement by Diocese of Expenditure

13. Any expenditure incurred by the relevant metropolitan in the administration of this Canon in relation to the Bishop of a Diocese, including expenses incurred in relation to the panel and any Tribunal shall be paid or reimbursed by that Diocese.

Canon affects order and good government

14. This canon affects the order and good government of this Church and shall not come into operation in a diocese unless and until the diocese adopts and assents to this canon by ordinance of the synod of the diocese.

Determination VI, 1891 to cease to have effect

15. The Determination of the General Synod of the Dioceses in Australia and Tasmania made on 3 October 1891 ceases to have effect in a diocese which adopts this canon.

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[2] Sub-section 11(8) amended by Canon 1, 1998.

BOARD OF ASSESSORS (APPELLATE TRIBUNAL) CANON 1962

Canon 5, 1962

A canon providing for the appointment of a Board of Assessors in relation to the Appellate Tribunal.

The General Synod prescribes as follows:

1. A Board of Assessors for the purposes of section 58 of the Constitution shall be elected at each session of Synod.

2. The Board shall consist of seven priests.

3. Any priest may be nominated for election to the said Board by two members of Synod.

4. If more than seven priests be so nominated a ballot shall be taken by a vote of the Houses of Synod voting together and the provisions of the rules for the conduct of elections ordered to be made by Synod shall apply thereto.

5. In any case where the Appellate Tribunal desires the opinion of the Board such opinion shall be given in writing and if the Board be not unanimous the members may furnish a majority and a minority opinion or individual opinions as they see fit to do.

6. A vacancy on the Board shall occur if a member die, resign, be declared by any competent court incapable of managing his affairs, cease to reside permanently in Australia or cease to hold a licence from a diocesan bishop. And if a vacancy should occur between sessions of Synod it may be filled by election at a meeting of the Standing Committee.

7. This canon may be cited as the "Board of Assessors (Appellate Tribunal) Canon, 1962".

CANON CONCERNING AUTHORITY ON CERTAIN MATTERS 1989

Canon 9, 1992[1]

A canon concerning authority on certain matters.

The General Synod prescribes as follows:

1. This canon may be cited as "Canon concerning authority on certain matters 1989".

2. Whenever a canon gives any power or discretion to the bishop of the diocese, the synod of the diocese, by ordinance, or the diocesan council, bishop-in-council or standing committee of the synod, by resolution, may, with the concurrence of the bishop, vest such power or discretion exclusively or non-exclusively in an assistant bishop of the diocese or in the bishop-in-council or the standing committee of the synod of the diocese or in such other officials of the diocese as may be considered appropriate.

3. Except where otherwise provided in a canon of the General Synod, each metropolitan, or, in the case of an extra-provincial diocese, the Primate, is empowered to grant such licences, dispensations or faculties as were able to be granted by the Archbishop of Canterbury within the Church of England in England as at 31 December 1961.

4. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the diocese.

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[1] This canon was passed provisionally as Canon P2, 1989.

CANON CONCERNING BAPTISM 1992[1]

Canon 21, 1998[2]

A canon concerning baptism.

The General Synod prescribes as follows:

1. This Canon may be cited as "Canon Concerning Baptism 1992".

2. The sacrament of Holy Baptism shall normally be administered at public worship.

3. Baptism shall take place by immersing a person in water or by pouring water upon the candidate and by pronouncing the words, "**I baptise you in the name of the Father, and of the Son, and of the Holy Spirit.**".

4. Due notice must be given to the minister of a church before a child is brought or a person comes to the church to be baptised.

5. Except in extreme circumstances -

   (a) the minister, before baptising any person able to answer for himself or herself, shall be satisfied that such person has been instructed and prepared in the Christian faith; and

   (b) the minister, before baptising an infant or person who cannot answer for himself or herself shall be satisfied that at least one of the parents or guardians of the infant or person have been instructed in the Christian faith, and that they are aware that the same responsibilities rest on them as are required of the godparents.

6. Subject to sections 4, 5, 7 and 8, no minister may refuse or, except for the purpose of preparing or instructing the parents or guardians or godparents, delay baptising a child who has a parent or guardian who professes to be a Christian.

7. A minister shall not normally baptise a child whose parents or guardians are not parishioners of or resident in the parish where it is proposed the baptism be administered unless at least one of the parents or guardians attends divine service in the parish or the minister has sought the advice of the minister of the parish where the parents or guardians reside or usually attend divine service.

8. Every child to be baptised shall have at least one, but usually three godparents or sponsors of whom at least two shall be of the same sex as the child and of whom at least one shall be of the opposite sex. Either or both of the parents of a child may act as

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1 See Appendix B.

2 This canon was passed provisionally as Canon P5, 1992.

godparents or sponsors. Godparents or sponsors shall be baptised persons and should be persons who will faithfully fulfil their responsibilities both by their spiritual nurture and instruction of the children committed to their charge and by the example of their own godly living.

9. For every candidate for baptism who is able to answer for himself or herself one such sponsor shall suffice, whose responsibility shall be to encourage the candidate to continue in the Christian life.

10. This Church holds and teaches that the sign of the cross[3] used in baptism is no part of the substance of the sacrament but retains that sign in baptism.

11. The minister shall, in a Register kept for the purpose, record or cause to be recorded the name of each person baptised, and the date and place of baptism, and provide the person and his or her godparents or sponsors with a certificate of baptism.

12. A diocesan synod may promulgate rules and guidelines not inconsistent with this canon for the administration of baptism within that diocese.

13. The Godparents Canon 1977 is repealed as regards a diocese which adopts this canon.

14. The canons numbered 29, 30, 68, 69 and 70 of the Canons of 1603, in so far as the same may have any force, have no operation or effect in a diocese which adopts this canon.

15. The provisions of this Canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this Canon by ordinance of the synod of the diocese.

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[3] A fuller explanation of the sign of the cross at baptism is set out in A Prayer Book for Australia at page 822.

CANON CONCERNING CONFESSIONS 1989[1]

Canon 10, 1992[2] as amended by
Canon 11, 2014[3]
Canon 16, 2017

A canon concerning confessions.

Whereas every confession to an ordained minister is heard in the context of the desire of the penitent to be reconciled to God, to the fellowship of the church, and to those who have been harmed by the penitent's sin:[4]

The General Synod prescribes as follows:

1. This canon may be cited as "Canon concerning confessions 1989".

2.[5] Subject to section 2A, if any person confess his or her secret and hidden sins to an ordained minister for the unburdening of conscience and to receive spiritual consolation and ease of mind, such minister shall not at any time reveal or make known any crime or offence or sin so confessed and committed to trust and secrecy by that person without the consent of that person.

2A.[6] (1) In this section –

abuse means sexual assault, sexual exploitation or physical abuse;

child means a person under the age of 18 years;

child abuse has the same meaning as in the National Register Canon 2007;

Church authority has the same meaning as in the National Register Canon 2007;

church worker has the same meaning as in the National Register Canon 2007;

clergy has the same meaning as in the National Register Canon 2007;

Director of Professional Standards has the same meaning as in the National Register Canon 2007;

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1 See Appendix B.
2 This canon was passed provisionally as Canon P3, 1989.
3 Repealed by Canon 16, 2017.
4 Added by Canon 16, 2017.
5 Amended by Canon 16, 2017.
6 Added by Canon 16, 2017.

grave offence means conduct that amounts to a criminal offence against the laws of the Commonwealth, a State or Territory, or another country which is equivalent to a criminal offence of the Commonwealth, a State or Territory involving child abuse;

ordained minister has the same meaning as **clergy**;

penitent means a person who makes a confession to an ordained minister;

police means the Australian Federal Police or the police service of a State or Territory of Australia.

(2) Subject to subsection (3), where a penitent confesses to an ordained minister that he or she has or may have committed a grave offence, that ordained minister is obliged to keep confidential the grave offence so confessed only if he or she is reasonably satisfied that the penitent has reported the grave offence to the police and, if the person is a church worker or a member of the clergy, to the Director of Professional Standards or other relevant Church authority.

(3) An ordained minister to whom a penitent has confessed that he or she has or may have committed a grave offence may, for the purpose of obtaining advice as to whether that conduct constitutes a grave offence, reveal the nature of that confession to a person nominated by the bishop of the diocese for the purpose of giving that advice.

(4) It is a defence to a charge of breach of discipline or any offence brought against an ordained minister, arising from his or her disclosure to any person of conduct confessed by a penitent that did not constitute a grave offence, that the ordained minister believed in good faith and on reasonable grounds that the conduct may have constituted a grave offence.

3. The proviso to canon numbered 113 of the Canons of 1603, and any other law of this Church concerning the making of confessions to an ordained minister, in so far as the same may have any force, shall have no operation or effect in this Church.

4. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the diocese.

CANON CONCERNING CONFESSIONS 1989 (VULNERABLE PERSONS)

Incorporating in full the provisions of the Canon Concerning Confessions 1989 as incorporated and modified for the purpose of confessions relating to conduct constituting abuse of a vulnerable person.

Canon 10, 1992[1] as amended by
Canon 11, 2014[2]
Canon 16, 2017
Canon 17, 2017[3]

A canon concerning confessions.

Whereas every confession to an ordained minister is heard in the context of the desire of the penitent to be reconciled to God, to the fellowship of the church, and to those who have been harmed by the penitent's sin:[4]

The General Synod prescribes as follows:

1. This canon may be cited as "Canon concerning confessions 1989".

2.[5] Subject to section 2A, if any person confess his or her secret and hidden sins to an ordained minister for the unburdening of conscience and to receive spiritual consolation and ease of mind, such minister shall not at any time reveal or make known any crime or offence or sin so confessed and committed to trust and secrecy by that person without the consent of that person.

2A.[6] [7] (1) In this section –

abuse means sexual assault, sexual exploitation or physical abuse;

child means a person under the age of 18 years;

child abuse has the same meaning as in the National Register Canon 2007;

Church authority has the same meaning as in the National Register Canon 2007;

church worker has the same meaning as in the National Register Canon 2007;

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1 This canon was passed provisionally as Canon P3, 1989.
2 Repealed by Canon 16, 2017.
3 Provides an alternative version of the Canon including reference to vulnerable persons.
4 Added by Canon 16, 2017.
5 Amended by Canon 16, 2017.
6 Added by Canon 16, 2017.
7 Amended by Canon 17, 2017.

clergy has the same meaning as in the National Register Canon 2007;

Director of Professional Standards has the same meaning as in the National Register Canon 2007;

grave offence means conduct that amounts to a criminal offence against the laws of the Commonwealth, a State or Territory, or another country which is equivalent to a criminal offence of the Commonwealth, a State or Territory involving:

(a) child abuse; or

(b) abuse of a vulnerable person (other than a child);

ordained minister has the same meaning as **clergy**;

other conduct means conduct confessed by the penitent to an ordained minister which does not constitute a grave offence, but gives the ordained minister reasonable grounds to believe that a vulnerable person is at risk of significant harm;

penitent means a person who makes a confession to an ordained minister;

police means the Australian Federal Police or the police service of a State or Territory of Australia;

vulnerable person includes a person who by reason of an intellectual disability, mental illness or other impairment, age or circumstance, has reduced capacity, whether permanently or temporarily, to protect himself or herself from abuse.

(2)[8] Subject to subsection (3), where a penitent confesses to an ordained minister that he or she has or may have committed a grave offence or confesses to other conduct that ordained minister is obliged to keep confidential the grave offence or the other conduct so confessed only if he or she is reasonably satisfied that the penitent has reported the grave offence or the other conduct to the police and, if the person is a church worker or a member of the clergy, to the Director of Professional Standards or other relevant Church authority.

(3)[9] An ordained minister to whom a penitent has confessed that he or she has or may have committed a grave offence or has confessed to other conduct may, for the purpose of obtaining advice as to whether that conduct constitutes a grave offence or other conduct, reveal the nature of that confession to a person nominated by the bishop of the diocese for the purpose of giving that advice.

8 Amended by Canon 17, 2017.
9 Amended by Canon 17, 2017.

(4)[10] It is a defence to a charge of breach of discipline or any offence brought against an ordained minister,

(a) arising from his or her disclosure to any person of conduct confessed by a penitent that did not constitute a grave offence, that the ordained minister believed in good faith and on reasonable grounds that the conduct may have constituted a grave offence; or

(b) arising from his or her disclosure to any person of other conduct that the ordained minister believed in good faith and on reasonable grounds that a vulnerable person was at risk of significant harm.

3. The proviso to canon numbered 113 of the Canons of 1603, and any other law of this Church concerning the making of confessions to an ordained minister, in so far as the same may have any force, shall have no operation or effect in this Church.

4. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the diocese.

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[10] Replaced by Canon 17, 2017.

CANON CONCERNING CONFIRMATION 1992[1]

Canon 14, 1998[2]

A canon concerning confirmation.

The General Synod prescribes as follows:

1. This canon may be cited as "Canon concerning Confirmation 1992".

2. The bishop of a diocese must personally or by a bishop authorised by him confirm throughout his diocese as often and in as many places as convenient, laying his hands upon those who have been baptised and instructed in the Christian faith and life as set forth in the Scriptures and in the Catechism and praying over them.

3. Every minister who has a cure of souls shall encourage those baptised as infants to affirm the Christian faith for themselves and to present for confirmation.

4. Every minister who has a cure of souls must instruct or cause to be instructed all who wish to be confirmed in the Christian faith as set forth in the Scriptures and in the Catechism.

5. A minister normally must present to the bishop only those who have come to years of discretion and who are ready to make public affirmation of their commitment to our Lord Jesus Christ and who can render an appropriate account of the faith and life expected of a Christian.

6. The canons numbered 60 and 61 of the Canons of 1603, in so far as the same may have any force, have no operation or effect in a diocese which adopts this canon.

7. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the diocese.

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1 See Appendix B.

2 This canon was passed provisionally as Canon P7, 1992.

CANON CONCERNING HOLY ORDERS 2004[1]

Canon No. 10, 2007[2]

The General Synod prescribes as follows:

Short title

1. This Canon may be cited as the "Canon concerning Holy Orders 2004".

Definitions

2. (1) In this Canon–

"**authorising bishop**", in relation to an ordination, means–

(a) the bishop of the diocese in which the ordination occurs; or

(b) if a bishop ordains a person for the bishop of another diocese, the bishop of that other diocese.

(2) Nothing in this Canon shall make it lawful for a woman to be ordained to the office of deacon in a diocese in which the Ordination of Women to the Office of Deacon Canon 1985 is not in force.

(3) Nothing in this Canon shall make it lawful for a woman to be ordained to the office of priest or consecrated to the office of bishop in a diocese in which the Law of the Church of England Clarification Canon 1992 is not in force.

Bishops, priests and deacons

3. (1) A person shall not be accounted or taken to be a bishop, priest or deacon in this Church unless, in accordance with this Canon or the law of this Church applying at the relevant time, the person–

(a) has been consecrated or ordained to that office by bishops, or a bishop, of this Church, or by bishops, or a bishop, of a Church in communion with this Church; or

(b) has been received into the ministry of this Church by a bishop of a diocese of this Church in accordance with the Holy Orders (Reception into Ministry) Canon 2004.

(2) A person shall not exercise the ministry of bishop, priest or deacon in this Church unless the person has been elected or appointed to an Episcopal office pursuant to

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1 See Appendix B.

2 This Canon was provisionally made as Canon P2, 2004, and amended and passed in 2007.

the Constitution and ordinances of this Church and the ordinances of the relevant diocese and Province or is otherwise duly authorised as mentioned in section 14 to minister as a bishop, priest or deacon in this Church.

(3) A person does not have a right to be ordained deacon or priest or to be consecrated bishop.

Age

4. (1) Subject to sub-section (2)–

(a) a person shall not be ordained deacon unless the person is at least 23 years of age;

(b) a person shall not be ordained priest unless the person is at least 24 years of age.

(2) The Metropolitan of the Province in which the ordination of a deacon occurs or, where the ordination occurs in an extra-provincial diocese, the Primate, may, for reasons which seem to the Metropolitan or the Primate appropriate, dispense with the provisions of sub-section (1)(a).

Deacons

5. (1) A person shall not be ordained deacon unless on good and credible evidence the authorising bishop is satisfied that the person –

(a) has been baptised; and

(b) is a confirmed communicant member of this Church or has

(i) been received into this Church under the Reception Canon 1981 or any other law of this Church providing for the reception of persons into this Church; or

(ii) been received into a Church in communion with this Church under a law of that Church corresponding to the Reception Canon 1981 or a law of that Church providing for the reception of persons into that Church; and

(c) has a firm conviction of a calling by God to minister in Holy Orders as a deacon; and

(d) is of good character, as testified by a person specified by the authorising bishop; and

(e) is an active member of this Church or of a Church in communion with this Church and has been for no less than one year; and

(f) has completed appropriate training in theological and ministerial formation; and

(g) has a sufficient knowledge of Holy Scripture; and

(h) has a sufficient knowledge of and accepts the doctrine, discipline and principles of worship of this Church; and

(i) has a sufficient knowledge of the forms of worship of this Church; and

(j) has demonstrated the physical and mental capacity to minister.

(2) A person shall not be ordained deacon unless the authorising bishop is satisfied that the person has been designated to receive an appointment as a deacon in this Church in accordance with the Constitution and ordinances of this Church and the ordinances of the relevant diocese and Province.

(3) Notwithstanding sub-section (1) (e), a person–

(a) who has been ordained minister of another Christian Church; and

(b) of whom the authorising bishop is satisfied in respect of the other requirements of sub-section (1)–

may be ordained deacon.

Priests

6. (1) A person shall not be ordained priest unless on good and credible evidence the authorising bishop is satisfied that the person–

(a) is a deacon of this Church; and

(b) has ministered satisfactorily as a deacon for not less than 9 months or, for reasons satisfactory to the authorising bishop, for such shorter period as the authorising bishop approves; and

(c) has a firm conviction of a calling by God to minister in Holy Orders as a priest; and

(d) is of good character as testified by a person specified by the authorising bishop; and

(e) has completed appropriate training in theology and ministerial formation; and

(f) has a sufficient knowledge of Holy Scripture; and

(g) has a sufficient knowledge of, and accepts, the doctrine, discipline and principles of worship of this Church; and

(h) has a sufficient knowledge of the forms of worship of this Church; and

(i) has demonstrated the physical and mental capacity to minister.

(2) A person shall not be ordained priest unless the authorising bishop is satisfied that the person has been designated to receive an appointment as a priest in this Church in accordance with the Constitution and ordinances of this Church and the ordinances of the relevant diocese or Province.

Bishops

7. A person shall not be consecrated bishop unless on good and credible evidence the Metropolitan of the Province which includes the diocese for or in respect of which the consecration takes place or, in the case of an extra-provincial diocese, the Primate or, in either case, the diocesan bishop nominated by the Primate or the Metropolitan to act in the place of the Primate or the Metropolitan for such consecration pursuant to the Consecration of Bishops Canon 1966 is satisfied that the person–

(a) is of good character as testified by a person specified by the Metropolitan, Primate or other bishop as the case requires; and

(b) satisfies the requirements of canonical fitness; and

(c) has been duly elected or appointed to an Episcopal office in accordance with the Constitution and any other relevant canon or ordinance.

Ordaining bishop

8. Where an ordination under section 5 or 6 is not performed by the bishop of the diocese for which the person is being ordained, the ordaining bishop may act only on the written confirmation of the bishop of that diocese that the requirements of the relevant section have been satisfied.

Diaconate

9. Nothing requires that a deacon be at some time ordained priest, the office of deacon being recognised by this Church as a full and distinctive order within the historic ministry of this Church.

Ordinal or other form of service

10. A person shall be consecrated bishop or ordained priest or deacon in this Church in accordance with the Ordinal or a form of service authorised by General Synod.

Consecration

11. Sections 1 and 2 of the Consecration of Bishops Canon 1966 as in force immediately before the enactment of this Canon apply to and in respect of the consecration of a bishop.

Day and place of consecration

12. The consecration of a bishop shall take place upon some Sunday or Holy Day unless the Metropolitan or, in the case of an extra-provincial diocese, the Primate, for special reasons appoints some other day and shall take place either in the metropolitical church of the Province or in a cathedral church or in another church or in some other place appointed by the Metropolitan or, in the case of an extra-provincial diocese, the Primate.

Place of ordination

13. Ordination to the office of priest or deacon shall take place either in the cathedral church of the diocese or in some other place nominated by the bishop.

Authority to minister

14. A bishop (not being the bishop of the diocese), a priest and a deacon may minister in that capacity in a diocese only after having received authority to do so from the bishop of the diocese, such authority ordinarily being given by licence under the hand and seal of the bishop or by written permission of the bishop.

Oaths etc and acceptance of codes of practice etc

15. (1) A bishop of a diocese, and an assistant bishop or a priest or deacon who has received authority from the bishop of a diocese to minister in that diocese shall take the oaths or affirmations, and make the declaration and assent, and the assent, required under the Oaths Affirmations Declarations and Assents Canon 1992 as adopted by the diocese or, if that Canon is not adopted by the diocese, such other oaths, affirmations, declarations and assents as are required under the law in force in that diocese.

(2) A bishop of a diocese, an assistant bishop or, a priest or deacon who has received authority from the bishop of a diocese to minister in that diocese shall declare acceptance of such codes of practice as are from time to time in force in the diocese.

Permission to officiate

16. The bishop of a diocese of this Church may permit a bishop, priest or deacon consecrated or ordained in this Church or in a Church with which this Church is in communion, to officiate as a bishop, priest or deacon, as the case may be, in any parish or congregation of this Church within the diocese if the bishop has satisfactory evidence relating to the bishop's consecration or the priest or deacon's ordination and good standing.

Removal of bar to ordination

17. A person shall not be refused ordination as deacon or priest or consecration as a bishop on the ground that the person was born out of lawful wedlock.

Enforcement of Canon

18. (1) A person must not-

(a) in undertaking the whole, or any part, of any ordination or consecration (or purported ordination or consecration) in this Church; or

(b) in submitting or offering himself or herself for ordination or consecration in this Church,

knowingly act in contravention of this Canon.

(2) A person who breaches sub-section (1) will be taken to be in wilful violation of this Canon for the purposes of the Offences Canon 1962.

Canons 31 to 37

19. The Canons numbered 31 to 37, inclusive, of the Canons of 1603, insofar as the same may have any force, either in their original form or as amended or as affected by a law of this Church, shall have no operation or effect in a diocese of this Church which adopts this canon.

Coming into force by adoption

20. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the diocese.

CANON CONCERNING SERVICES 1992[1]

Canon 13, 1998[2] as amended by Canon 19, 2017

A canon concerning Services of the Church.

The General Synod prescribes as follows:

1. This canon may be cited as "Canon concerning Services 1992".

2. The minister of each church must bring to the knowledge of the people of the suburb, town or locality in which that church is situated, the times and days on which Divine Service is to be held in that church.

3. Divine service must be held in every Cathedral and, wherever possible, in the church or one of the churches in every parish at least once on all Sundays.

4. (1) The following forms of service are authorised:

   (a) the forms of service contained in the Book of Common Prayer;

   (b) such forms as may have been authorised, as regards a parish, pursuant to the Constitution or a canon of the General Synod in force in the diocese of which that parish is part;

   (c)[3] for use within a diocese, any other form that has been -

      (i) approved for use, on the recommendation of the Liturgy Commission with the concurrence of the Doctrine Commission, by a decision of at least two-thirds of the diocesan bishops including all of the Metropolitans; and

      (ii) approved for use within the diocese by the diocesan council of that diocese.

   (2) Every minister must use only the authorised forms of service, except so far as the minister may exercise the discretion allowed by section 5.

5. (1) The minister may make and use variations which are not of substantial importance in any form of service authorised by section 4 according to particular circumstances.

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1 See Appendix B.
2 This canon was passed provisionally as Canon P6, 1992.
3 Added by Canon 19, 2017.

(2) Subject to any regulation made from time to time by the Synod of a diocese, a minister of that diocese may on occasions for which no provision is made use forms of service considered suitable by the minister for those occasions.

(3) All variations in forms of service and all forms of service used must be reverent and edifying and must not be contrary to or a departure from the doctrine of this Church.

(4) A question concerning the observance of the provisions of sub-section 5(3) may be determined by the bishop of the diocese.

6. Each service must be said or sung distinctly, reverently and in audible voice in English or another language intelligible to the congregation.

7. A sermon must be preached at least once each Sunday in every cathedral and church in which Divine service is offered on that Sunday except for some reasonable cause approved by the bishop of the diocese. The preacher must endeavour to expound the scriptures, to the glory of God and to the edification of the people.

8. The minister must determine what parts of Divine Service offered in a church are to be said or sung. No musical instrument may be played in connection with Divine service in any church without the approval of the minister of that church. The minister must ensure that all music (including any words and accompaniment) is to the glory of God and to the edification of the people.

9. No minister may exorcise except where authorised so to do by the bishop of the diocese.

10. The canons numbered 14, 18, 19, 43, 45, 46, 47, 49 to 57 inclusive, 64, 67 and 72 of the Canons of 1603, in so far as the same may have any force, have no operation or effect in a diocese which adopts this canon.

11. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the diocese.

CANON CONCERNING VESTURE OF MINISTERS 1992[1]

Canon 19, 1995[2]

A canon concerning Vesture of Ministers 1992.

The General Synod prescribes as follows:

1. This canon may be cited as "Canon concerning Vesture of Ministers 1992".

2. This Church recognises that, by tradition, its ministers have worn distinctive vesture whilst ministering in Divine Service. This Church also recognises that the vesture worn by its ministers may vary from time to time and place to place. This Church declares that it does not attach any particular doctrinal significance to the diversity of vesture worn by its ministers.

3. Subject to sections 4 and 5, whilst ministering in Divine Service in a cathedral or church a minister shall comply with such standards of vesture as may be prescribed by ordinance of the synod of the diocese in which the service is being held or, in the absence of any such ordinance, by the bishop.

4. A minister may wear a surplice in lieu of the vesture prescribed by the synod or the bishop pursuant to section 3 or referred to in section 5.

5. Subject to section 4 and to any requirement made pursuant to section 3, a minister may wear the vesture which has customarily been worn in the place in which the service is being held.

6. The Use of the Surplice Canon 1977 is repealed as regards a diocese which adopts this canon.

7. The canons numbered 17, 24, 25, 58 and 74 of the Canons of 1603, in so far as the same may have any force have no operation in a diocese which adopts this canon.

8. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the diocese.

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1 See Appendix B.

2 This canon was passed provisionally as Canon P2, 1992.

CANON FOR THE ADMISSION OF CHILDREN TO HOLY COMMUNION 1981

Canon 6, 1985[1]

A canon for the admission of children to Holy Communion.

The General Synod prescribes as follows:

1. This canon may be cited as the "Canon for the admission of children to Holy Communion".

2. A child who has been baptised but who has not been confirmed, is eligible to be admitted to the Holy Communion if the minister is satisfied that the child has been adequately instructed, gives evidence of appropriate understanding of the nature and meaning of the Holy Communion and has fulfilled the conditions of repentance and faith; and if the child, with the sponsorship of his or her parents or of other confirmed members of the congregation, seeks such admission while awaiting confirmation.

3. (1) The bishop of the diocese may make regulations, not inconsistent with ordinances (if any) made under subsection (2), concerning the practice and procedure in relation to the admission of children to the Holy Communion under this canon.

   (2) The synod of the diocese may, by ordinance, regulate the practice and procedure in relation to the admission of children to the Holy Communion under this canon.

4. This canon affects the order and good government of the Church within a diocese and shall not come into force in any diocese unless and until the diocese by ordinance adopts the canon.

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[1] This canon was passed provisionally as Canon 14(P), 1981.

CANON LAW REPEAL CANON 1989[1]

Canon 11, 1992[2]

A canon to repeal certain canon law.

The General Synod prescribes as follows:

1. This canon may be cited as "Canon Law Repeal Canon 1989".

2. A reference in this or in any other canon to the Canons of 1603 is a reference to the Constitutions and Canons Ecclesiastical agreed upon by the bishops and clergy of the Province of Canterbury in the year of Our Lord 1603 and known as the Canons of 1603 and includes any amendments thereto having force or effect in any part of this Church.

3. (1) Subject to the provisions of the Constitution and the operation of any other canon of the General Synod, all canon law of the Church of England made prior to the Canons of 1603, in so far as the same may have any force, shall have no operation or effect in a diocese which adopts this canon.

   (2) Nothing in subsection (1) deprives a bishop holding office as a metropolitan and bishop of a diocese, or as the bishop of a diocese, of any inherent power or prerogative, or limit any inherent power or prerogative, that was vested in the metropolitan and bishop of that diocese, or the bishop of that diocese, as the case may be, as holder of those offices or of that office immediately before this canon came into force in that diocese.

4. (1) Subject to this section, the canons numbered 1 to 13 inclusive, 15, 16, 38 to 42 inclusive, 44, 48, 59, 65, 66, 71, 73, 75, 77 to 98 inclusive, 105 to 112 inclusive, 113 (other than the proviso thereto) and 114 to 141 inclusive of the Canons of 1603, in so far as the same may have any force, shall have no operation or effect in a diocese which adopts this canon.

   (2) The Synod of a diocese which adopts this canon may elect, but only in the ordinance by which this canon is adopted, that the provisions of one or more canons of the Canons of 1603, being canons listed in section 4(1), will apply in the diocese.

   (3) When the synod of a diocese makes an election under section 4(2):

      (a) the provisions of the relevant canon or canons apply in the diocese until repealed by the synod of the diocese; and

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1 See Appendix B.

2 This canon was passed provisionally as Canon P1, 1989.

(b) the synod may determine, at any time thereafter, by ordinance, that the relevant canon or any one or more of the relevant canons specified in such ordinance are not to apply in the diocese and, on such ordinance being duly made, the relevant canon does not or relevant canons so specified do not apply in the diocese.

5. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the diocese.

CHANCELLORS CANON 2001[1]

Canon No. 4, 2001 as amended by Canon 11, 2022

A canon to provide for the appointment of chancellors and for other purposes.

The General Synod prescribes as follows:-

Title

1. This Canon may be cited as the "Chancellors Canon 2001".

Office of Chancellor

2. (1) The chancellor of a diocese is the principal confidential adviser to the bishop of the diocese in legal and related matters.

(2) Subject to the chancellor's overriding duty to the bishop, the chancellor may provide advice to the synod and other agencies of the diocese.

[2]****

(4) The chancellor has such other powers duties and responsibilities and holds such other positions as may be prescribed by the Constitution of the Anglican Church of Australia, the constitution of a diocese, canons or ordinances.

Qualifications

3. (1) A person to be appointed as a chancellor -

(a) shall be a communicant member of the Anglican Church of Australia, and

(b) shall be or shall have been

(i) a Justice of the High Court of Australia, a Justice of the Federal Court of Australia or the Family Court of Australia, a Justice of the Supreme Court of a State or Territory of Australia, a Judge of the Family Court of Western Australia, a Judge of a District or County Court of a State or Territory of Australia, or a Justice of a Court prescribed by canon of the General Synod; or

(ii) a barrister or solicitor of at least seven years standing of the Supreme Court of a State or Territory; or

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1 See Appendix B.

2 Section 2(3) repealed by Canon 11, 2022.

(iii) a graduate in law and a teacher of law of at least seven years standing as such holding the position of Senior Lecturer or above in law at a University in Australia.

(2) When making an appointment, the bishop of a diocese should, wherever possible, be satisfied that the person to be appointed has a sound working knowledge of the law and polity of the Anglican Church of Australia.

Appointment and Tenure

4. (1) Whenever a vacancy occurs, a chancellor may be appointed by the bishop of the diocese and the appointment shall be under seal in the form contained in the Schedule or in some other appropriate form.

(2) A chancellor ceases to hold office at the end of the period for which he or she was appointed or at the end of six months after the installation of the successor to the appointing bishop, whichever occurs first, unless appointed to the position of chancellor by that successor within that period.

(3) Notwithstanding the provisions of subsection (2), a chancellor -

(a) may resign the office by notice in writing to the bishop; and

(b) may be removed from office by the bishop.

Deputy chancellor

5. The Bishop may appoint a deputy chancellor, by whatever title, either as a continuing office or to act in the absence of the chancellor or during a vacancy in the office of chancellor. Sections 3 and 4 (2) and (3) shall apply to a deputy chancellor.

Oaths and declarations

6. A chancellor and a person appointed to act as deputy chancellor, before that person enters upon the execution of the office, is required to take and subscribe before the bishop of the diocese or a person nominated by the bishop entitled to administer an oath:

(a) the following oath or affirmation:

"**I, AB, do swear that I will, to the utmost of my understanding, in all things deal uprightly and justly in my office: So help me God**."; or

"**I, AB, do solemnly and sincerely affirm that I will, to the utmost of my understanding, in all things deal uprightly and justly in my office**."

and

(b) such other oaths and declarations as are usual in the diocese in the case of senior appointments.

Saving provision

7. (1) Subject to subsection (2), this canon shall not apply so as to call into question in any respect whatsoever the qualification, mode of appointment, tenure of office, decisions or actions of any person appointed a chancellor in a diocese prior to the date of adoption of this Canon by such diocese.

(2) A Chancellor or Deputy Chancellor appointed before this Canon comes into force in a diocese shall cease to hold office in accordance with the provisions of section 4 of this Canon.

Repeal of Canons

8. If in any diocese Canons 127 and 128 of the Canons of 1603 continue to have or may have any force or operation, the adoption of this Canon by ordinance of the synod of the diocese shall effect the repeal of those Canons in that diocese.

Inconsistency

9. If this Canon is inconsistent with the constitution of a diocese in which this Canon comes into force then such constitution shall prevail to the extent of the inconsistency.

Canon affects order and good government

10. The provisions of this Canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this Canon by ordinance of the synod of the diocese.

THE SCHEDULE

LET IT BE KNOWN that I A.B., by Divine Providence, Bishop/Archbishop of X, do appoint C.D. [state qualifications] to be my Chancellor in the Diocese of X, to hold and exercise that Office for the term of ……. and subject to the Chancellors Canon 2001 of the General Synod of the Anglican Church of Australia, **AND**, subject to the provisions of the law of the Anglican Church of Australia having force in this Diocese and to the Constitution and Ordinances of the Diocese from time to time in force, do grant and confirm in C.D. the authority jurisdiction rights and powers of the office of Chancellor and to do and perform all things pertaining to such office as may be prescribed or permitted by law or custom in this Diocese.

IN WITNESS WHEREOF I have caused my seal to be affixed and have signed this document as a deed this

day of 20 .

CONFIRMATION OF BISHOPS OF EXTRA-PROVINCIAL DIOCESES CANON 1966

Canon 9, 1966

A canon for the confirmation of the person elected as the bishop of a diocese which is not part of a province.

The General Synod prescribes as follows:

1. Where in any diocese which is not part of a province a person shall have been elected or nominated as bishop, the administrator of the said diocese shall transmit the name of such person together with a certificate of his election or nomination to the Primate, and when a person shall have been elected or nominated as the first bishop of a newly-formed diocese or of a diocese about to be formed, which is not part of a province, the person or persons who have elected or nominated him shall transmit a like certificate in like manner.

2. On receiving any such certificate the Primate shall communicate the election or nomination to the other bishops of the dioceses in Australia, and if the Primate and three or more other diocesan bishops be satisfied as to the canonical fitness of the person so elected or nominated, the election or nomination of such person shall be duly confirmed under the hand and seal of the Primate provided that the election of a person who at the time of his election is already a bishop of the Church of England in Australia shall not require to be confirmed.

3. No election or nomination of any person to be bishop of any diocese, other than a newly-formed diocese or one about to be formed, shall be submitted to the bishops of the dioceses in Australia, unless such See shall be or shall have become vacant or shall have been declared vacant by the Primate as the case may be under the powers specified by Determination VI, Session 1891.

4. If the election or nomination of a bishop shall not have been confirmed at the expiration of three months from the receipt by the Primate of the notice of such election or nomination then such election or nomination shall be deemed not to have been confirmed and the Primate shall forthwith notify the Administrator of such Diocese, or in the case of a newly-formed diocese or of a diocese about to be formed, the person or persons who made such election or nomination. Should such election or nomination be deemed not to have been confirmed, then the name of some other person may be transmitted in manner provided and pursuant to clauses 1 and 2 hereof.

5. When a person nominated or elected as bishop of a diocese which is not part of a province is to be consecrated outside Australia, confirmation as to canonical fitness shall be made as provided in clauses 1 and 2 hereof.

6. "**Administrator**" shall mean and include the person appointed by or under the constitution of the diocese to administer the affairs of the diocese during a vacancy in the see.

   "**Primate**" shall have the same meaning as it has in section 74(1) of the Constitution.

7. When a bishop of such a diocese intends to resign he shall notify such intention and the date on which it is to take effect in writing to the Primate and the Administrator. On and after such date the see shall be deemed vacant.

8. Determination II, Session 1905 of the General Synod of the Dioceses of the Church of England in Australia and Tasmania as amended in so far as it relates to the confirmation of bishops shall cease to have any operation upon the passing of this canon.

9. This canon may be cited as the "Confirmation of Bishops of Extra-provincial Dioceses Canon, 1966".

CONSECRATION OF BISHOPS CANON 1966 [1]

Canon 3, 1966 as amended by Canon 6, 1969

A canon to provide for the consecration of bishops.

The General Synod prescribes as follows:

1. A bishop shall be consecrated by at least three bishops that is to say:

   (i) by the metropolitan of the province in which the diocese is situated, assisted by two or more other bishops of this Church; or

   (ii) if the diocese is not within a province, by the Primate assisted by two or more other bishops of this Church; or

   (iii) by any diocesan bishop of this Church nominated by the Primate or metropolitan to act in his stead for such consecration, assisted by two or more other bishops of this Church

   provided however,[2] where the consecration is for or in respect of a diocese within a province, nothing in this canon shall preclude any other bishop in office in that province from assisting at such consecration

   provided also that nothing in this canon shall preclude any other bishop from assisting at such consecration with the consent of the metropolitan or Primate responsible for such consecration.

   provided further that nothing in this canon shall preclude the consecration of a bishop of this Church in a Church in communion with this Church in accordance with section 6 of the Constitution of this Church by the metropolitan or other bishop of such church assisted by two or more bishops of a church in communion with this Church with the concurrence of the metropolitan and a majority of the bishops of the province of this Church in which the diocese is situated for which such bishop is to be consecrated or if such diocese is not within a province then with the concurrence of the Primate of Australia.

2. In this canon "**Metropolitan**" and "**Primate**" shall have the same meaning as in the Constitution of this Church.

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1 Pursuant to Canon 6, 1969 Section 3 the principal Canon as amended may be cited as "Consecration of Bishops Canon 1966-1969".

2 First proviso added by Canon 6, 1969.

3. That this canon affects the order and good government of the Church and shall not come into force in any diocese unless and until the diocese by ordinance adopts the said canon.

4. Clause 5 of Determination II, Session 1905 of the General Synod of the Church of England in Australia and Tasmania as amended shall cease to have any operation in any diocese on the passing of an Ordinance by the Synod of such diocese adopting this canon.

5. This canon may be cited as the "Consecration of Bishops Canon, 1966".

CONSTITUTION OF A DIOCESE ALTERATION CANON 1995

Canon 3, 1995

A canon to prescribe a method of alteration of the constitution of a diocese.

By virtue of the powers contained in section 50 of the Constitution, the General Synod prescribes as follows:

Title

1. This canon may be cited as the "Constitution of a Diocese Alteration Canon 1995".

Alteration of Constitution of a diocese

2. Subject to the Constitution, the constitution of a diocese may be altered by an ordinance of the synod of that diocese provided that such ordinance:

    (a) is passed by -

        (i) a majority of two-thirds of the members of the House of Laity of the Synod present and voting; and

        (ii) a majority of two-thirds of the members of the House of Clergy of the Synod present and voting -

        at the same sitting of the Synod; and

    (b) is confirmed by resolution passed in like manner within 3 years at a subsequent sitting of the same Synod or at a sitting of a later Synod; and

    (c) is assented to in writing by the bishop.

Date of alteration

3. An alteration to the constitution of a diocese made in accordance with this canon shall take effect on and from the date on which it is assented to by the bishop or, if the ordinance provides for it to take effect on a later date, on that later date.

Other means of alteration not affected

4. This canon shall not prevent the constitution of a diocese from being altered in accordance therewith.

Canon affects the order and good government of a diocese

5. The provisions of this canon affect the order and good government of the Church within a diocese and shall not come into force in any diocese unless and until the diocese by ordinance adopts the canon.

DEFENCE FORCE BOARD CANON 1985

Canon 20, 1985 as amended by
Canon 2, 1995
Canon 4, 1998
Canon 6, 2001

A canon to establish the Defence Force Board.

The General Synod prescribes as follows:

1. This canon may be cited as "Defence Force Board Canon 1985".

2. In this canon "**Bishop to the Defence Force**" means the bishop holding office as Bishop to the Defence Force appointed pursuant to the Defence Force Ministry Canon 1985.

3. There shall be a board of this Church to be known as "Defence Force Board" (hereinafter called "**the Board**").

4. The objects of the Board shall be:

   (a) to continue the work of the Armed Services Board established under the Armed Services Board Canon 1966;

   (b) to be a resource available to the Primate, the bishops, the Synod and the Standing Committee of General Synod on all matters concerned with the ministrations of the Church among men and women of the Defence Force and the families of those men and women;

   (c)[1] to consult with and to give advice to the Bishop to the Defence Force;

   (d)[2] to administer any funds or other property allotted to it by General Synod, or placed at its disposal in other ways, for the furtherance of these objects and in providing for the Bishop to the Defence Force;

   (e) to do such other things in respect to Chaplains in the Defence Force and their work as may be delegated to it by the Primate, the General Synod or Standing Committee of General Synod.

5. The members of the Board shall be:

   (a) the Bishop to the Defence Force who shall be Chairman.

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1 Section 4 (c) repealed and replaced by Canon 6, 2001.
2 Amended by addition of new words by Canon 6, 2001.

(b)[3] (i) three members of the clergy of whom at least one at the time of election is rendering or has previously rendered service as a reserve chaplain in the Australian Defence Force; and

(ii) three lay persons

elected by the House of Clergy and House of Laity voting together at each ordinary session of the General Synod.

It is declared for the avoidance of doubt that the expression "**members of the clergy**" may include any person in bishop's orders, including a diocesan bishop.

(c) The Principal Chaplain of this Church in each arm of the Defence Force.

(d) Any vacancy in the elected membership of the Board occurring when General Synod is not in session shall be filled by a qualified person elected by the Standing Committee of General Synod.

6. A quorum of the Board at a meeting of the Board is five members.

7. A vacancy in the membership of the Board does not affect the exercise of the powers or the performance of the functions of the Board.

8. Nominations of candidates for election to the Armed Services Board received at the 1985 session of Synod shall be deemed to be nominations for election to the Defence Force Board.

9. The Board shall report to General Synod at each ordinary session of the General Synod and shall report at least once in every year to the Standing Committee of General Synod.

10. The Armed Services Board Canon 1966 is repealed.

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[3] Section 5(b) repealed and replaced by Canon 2, 1995 and amended by Canon 4, 1998.

DEFENCE FORCE MINISTRY CANON 1985

Canon 19, 1985 as amended by
Canon 6, 2001
Canon 4, 2022
Canon 10, 2026

A canon to provide for the office of bishop to defence force, for the licensing of chaplains serving in the defence force and for other purposes.

The General Synod prescribes as follows:

1. This canon may be cited as the "Defence Force Ministry Canon 1985".

2.[1] In this canon -

"**Bishop to the Defence Force**" means the bishop appointed and holding office from time to time under this canon;

"**Defence Force Board**" means the Defence Force Board constituted under the Defence Force Board Canon 1985.

2A. (1) The Primate may, with the approval of a majority of the Metropolitans and of the Defence Force Board, appoint a person in Holy Orders to the office of Bishop to the Defence Force.

(2) If the person so appointed is not already a bishop, the person shall not be consecrated as bishop unless the canonical fitness of the appointee shall have been certified in writing by the Primate and the Metropolitans.

(3) A person appointed to the office of Bishop to the Defence Force shall not enter upon the office unless consecrated as bishop.

2B. (1) Before making an appointment to the office of Bishop to the Defence Force, the Primate shall obtain from the Defence Force Board notification of the stipend and allowances to be paid or provided as the case may be to the Bishop to the Defence Force.

(2) No appointment as Bishop to the Defence Force shall be made by the Primate until a majority of the Metropolitans have informed him in writing that they are satisfied that sufficient stipend and allowances will be provided for the occupant of the office.

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[1] Section 2 deleted and replaced by new Section 2 including Sections 2A and 2B by Canon 6, 2001.

3. The Bishop to the Defence Force shall be a bishop assistant to the Primate and shall be responsible to the Primate for episcopal oversight of the chaplains serving in the Defence Force and of the ministrations of the church among men and women of the Defence Force and their families.

4.[2] (1) The Bishop to the Defence Force shall continue in office notwithstanding any vacancy in the office of Primate.

(2) The term of office of a Bishop to the Defence Force shall expire:

(a) after five years, or at the expiration of any subsequent fixed term;

(b) upon resignation from office; or

(c) upon removal from episcopal office;

whichever first occurs.

(3) The appointment of the Bishop to the Defence Force may be extended by the Primate for a further term of up to five years provided that:

(a) the Primate and the Defence Force Board have together reviewed the position of the Bishop to the Defence Force no earlier than 12 months, and no later than 8 months, preceding the end of the term; and

(b) the extension of the Bishop to the Defence Force's appointment for a further term has been approved by a majority of the Metropolitans and of the Defence Force Board.

(4) The appointment of the Bishop to the Defence Force may be extended for further terms each of up to five years provided that the procedure described in section 4(3) is adopted.

5. (1) (a) The Bishop to the Defence Force shall advise the Primate as to persons who are under consideration for appointment as chaplains in the Defence Force;

(b) upon a chaplain's appointment by the secular authorities, the Primate may in his discretion, either personally or by the Bishop to the Defence Force, grant to the chaplain a licence in or to the effect of the prescribed form authorising the chaplain to minister in Defence Force ships, establishments and areas of operations to members of the Defence Force and their families wherever they reside;

(c) prior to posting to any Defence Force ship, establishment or area of operation, the bishop of the diocese in which the Defence Force ship, establishment or area of operation is located shall where practicable be advised by the Bishop to the Defence Force or the Principal Chaplain of the intention to post the chaplain;

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[2] Amended by Canon 4, 2022.

(d) upon a chaplain commencing his work in a new posting, provided it is in a different diocese to his previous posting, he shall present himself to the bishop of the diocese in which he is based, in order that the bishop may endorse that licence and may grant to the chaplain such further or other licences as he sees fit.

(2) For the purposes of this section "**a licence in the prescribed form**" means a licence in a form prescribed from time to time by the Standing Committee of General Synod provided that until Standing Committee otherwise determines the form set out in the Schedule shall be deemed to have been prescribed by the Standing Committee.

5A.[3] (1) For the purposes of section 17(8)(b) of the Constitution, the Defence Force Board is the body appointed to recommend to the Primate the bishop, priest or deacon who is a full-time chaplain in the Australia Defence Force for the purposes of section 17(8)(a)(iia) of the Constitution.

(2) For the purposes of subsection (1), the Defence Force Board must conduct an election by the full-time chaplains in the Australian Defence Force and recommend the full-time chaplain so elected.

6. The Bishop holding office as the Bishop to the Forces at the time this canon comes into operation shall be the first Bishop to the Defence Force and shall be deemed to have been appointed pursuant to section 2 of this canon.

[3] Added by Canon 10, 2026.

SCHEDULE

LICENCE TO THE OFFICE OF CHAPLAIN IN THE DEFENCE FORCE

by Divine permission Primate of Australia to our well beloved in Christ

GREETING

WHEREAS you have first made and subscribed all such Declarations and Oaths as by the Constitution and Canons of the Anglican Church of Australia in such case are required, we do give and grant you, in whose fidelity, manner of life, learning and sound doctrine we fully confide, our licence and authority to perform the office of Chaplain in the Defence Force in ....., to administer the sacraments, to read the common prayers and to perform other ecclesiastical duties according to the forms prescribed in the Book of Common Prayer, An Australian Prayer Book, and otherwise by lawful authority and the canons, constitutions and ordinances in that behalf lawfully established and promulgated and not otherwise nor in any other manner.

PROVIDED THAT in your office as chaplain in the Defence Force you shall be under the jurisdiction of the Primate and the Bishop to the Defence Force acting on his behalf and with his authority.

PROVIDED THAT in your office as chaplain in the Defence Force your ministrations shall be limited under this licence and authority to Defence Force ships, establishments and areas of operation and to members of the Defence Force and their families wherever they reside.

PROVIDED THAT you shall not perform any ministry other than to members of the Defence Force and their families without the authority duly given of the bishop of the diocese within which you are from time to time performing duties as chaplain in the Defence Force.

PROVIDED THAT this Licence shall subsist so long as you remain in active service with the Australian Defence Force and a member of Defence Force Anglican Chaplaincy Incorporated or until this Licence is earlier revoked.[4]

AND we do hereby reserve to ourselves, and to our successors, full power and authority to revoke these presents and all things herein contained, whensoever we shall see just cause so to do.

In witness whereof

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[4] The fourth proviso was deleted and replaced by new fourth proviso by General Synod Standing Committee Resolution SC2011/2/39.

DISCLOSURE OF INFORMATION CANON 2017

Canon 9, 2017

The General Synod prescribes as follows:

Title

1. This canon is the Disclosure of Information Canon 2017.

Object

2. The object of this canon is:

(a) to implement the Protocol so far as it provides for the disclosure of information to the person or body in a Province responsible for authorising church workers to undertake ministry;

(b) to provide for the disclosure of information to the bishop of another diocese of this Church or a person or body of another denomination having authority to ordain, license, elect, appoint, dismiss or suspend a member of the clergy or a lay person of that diocese or that denomination.

Interpretation

3. In this canon, unless the context otherwise requires:

authorise means authorise by a licence or other similar authority;

church worker means a member of the clergy or a lay person who is authorised, or has previously been authorised, to undertake ministry by a diocesan authority;

denominational authority means a person or body of another denomination having authority to ordain, license, elect, appoint, dismiss or suspend a member of the clergy or a lay person of that denomination;

diocesan authority means a person or body of diocese of this Church having authority to ordain, license, elect, appoint, dismiss or suspend a member of the clergy or a lay person of that diocese;

information means a written statement by a diocesan authority which discloses:

(a) whether or not there has been, and

(b) if there has been, the substance of, any untested allegation, charge, finding or admission of the commission of a criminal offence, or a breach of the rules in force in the diocese regarding the moral conduct of clergy and lay persons undertaking

ministry, including rules relating to sexual conduct and conduct towards children and vulnerable adults;

prescribed person means a provincial authority or a diocesan authority or a denominational authority who is reasonably believed to:

(a) be considering whether to employ or appoint the church worker to an office, licence or position of responsibility; or

(b) be determining whether the church worker is suitable to remain in employment or to hold an office, licence or position of responsibility; or

(c) have the role of recommending or taking disciplinary action against, or recommending or determining the fitness for office of, the church worker under a process being contemplated or taken against the church worker;

prescribed authority means the bishop of a diocese of this Church;

Protocol means the Protocol for the disclosure of ministry suitability information between the churches of the Anglican Communion which the Anglican Consultative Council referred to in resolution 16.27 passed in 2016, and the text of which is set out in the Schedule;

Province means a member church of the Anglican Consultative Council other than this Church and includes part of a Province;

provincial authority means a person or body in a Province having authority to ordain, license, elect, appoint, dismiss or suspend a member of the clergy or a lay person of that Province.

Request for information

4. (1) When the General Secretary receives an application for information about a church worker from a prescribed person, whether directly or through a prescribed authority or otherwise, he or she must as soon as practicable:

(a) forward the application for information to any prescribed authority who, or a predecessor of whom, is recorded in the application as having previously authorised the church worker to undertake ministry; and

(b) where permitted by a protocol under the National Register Canon 2007 provide an extract from the National Register relating to the church worker to the prescribed person, except where disclosure of the information is unlawful or is reasonably believed to be likely to give rise to legal liability.

(2) When a prescribed authority receives an application for information about a church worker from a prescribed person he or she must advise the General Secretary as soon as practicable of the application.

(3) A prescribed authority, upon receiving an application for information about a church worker from the General Secretary or a prescribed person, must reasonably endeavour to provide the information as soon as practicable to the prescribed person, except where disclosure of the information is unlawful or is reasonably believed to be likely to give rise to legal liability.

Consent of the church worker to disclose information

5. A church worker in respect of whom an application for information by a prescribed person is received by the General Secretary or a prescribed authority is deemed to have given consent to the disclosure of information to the prescribed person.

SCHEDULE

Protocol for the disclosure of ministry suitability information between the churches of the Anglican Communion

Definitions

1. In this Protocol:

Assessing Province means the Province in which a Church authority is to assess whether the Church worker should be authorised for ministry;

Authorising Province means the Province or Provinces in which the Church worker is authorised, or has previously been authorised, to undertake ministry by a Church authority;

Church authority means the person or body responsible for authorising Church workers to undertake ministry in the Authorising Province or the Assessing Province;

Church worker means a member of the clergy or a lay person who:

(a) is authorised, or has previously been authorised, to undertake ministry by a Church authority of the Authorising Province; and

(b) has applied to undertake authorised ministry, or has been nominated for appointment to a position or office involving the undertaking of authorised ministry, in the Assessing Province;

Ministry Suitability Information means a written statement by a Church authority of the Authorising Province about the Church worker that discloses:

(a) whether or not there has been; and

(b) if so, the substance of;
any allegation, charge, finding or admission of the commission of a criminal offence, or the breach of the Authorising Province's rules regarding the moral conduct of clergy and lay persons undertaking ministry, including rules relating to sexual conduct and conduct towards children and vulnerable adults;

Province includes part of a Province.

System for the disclosure of Ministry Suitability Information by the Authorising Province

2. The Authorising Province will have and maintain a system for the disclosure of Ministry Suitability Information about a Church worker of the Province to the applicable Church authority of the Assessing Province that includes the following requirements:

(a) the applicable Church authority of the Province is to promptly deal with an application by the applicable Church authority of the Assessing Province for the disclosure of Ministry Suitability Information; and

(b) the applicable Church authority of the Province is to disclose the Ministry Suitability Information to the applicable Church authority of the Assessing Province.

System for assessing the suitability of a Church worker for authorised ministry in the Assessing Province

3. The Assessing Province will have and maintain a system for the assessment of the suitability of a Church worker to undertake authorised ministry in the Province that includes the following requirements:

(a) the applicable Church authority is to make an application to the Authorising Province for Ministry Suitability Information;

(b) the applicable Church authority is not to authorise the Church worker to undertake ministry in the Province unless and until it has carried out an assessment of whether the Church worker is a risk to the physical, emotional and spiritual welfare and safety of people that takes into account the Ministry Suitability Information disclosed by the Authorising Province; and

(c) the applicable Church authority is to keep the Ministry Suitability Information confidential, except where its disclosure:

(i) is required by law; or

(ii) is reasonably believed to be necessary to protect any person from the risk of being harmed by the Church worker; or

(iii) is necessary for the purpose of undertaking the assessment of whether the Church worker is suitable to undertake authorised ministry in the Province or any disciplinary action against the Church worker.

EPISCOPAL STANDARDS CANON 2007

Canon 14, 2007[1] as amended by
Canon 18, 2017
Canon 11, 2022
Canon 12, 2022

A canon relating to professional standards of bishops and for other purposes.

The General Synod prescribes as follows:

PART 1 – PRELIMINARY

1. This Canon may be cited as the "Episcopal Standards Canon 2007".

2. In this Canon, unless the context otherwise requires:

"**Administrator**" means the person who would, in the absence or incapacity of a Bishop, be the administrator of a diocese;

"**authorisation to function**" [2] means a licence or any written instrument by which a member of the clergy is appointed, authorised, permitted or sanctioned to exercise ministry as a member of the clergy and **authorising to function** and **authorised to function** have a corresponding meaning;

"**Bishop**" means a bishop referred to in section 56(6) of the Constitution; and

"**bishop**" means a person in bishop's orders;

"**Board**" means the Episcopal Standards Board established under Part 6;

"**Church**" means the Anglican Church of Australia;

"**Church body**" includes the Primate, the General Synod, a diocese, diocesan synod, diocesan council, diocesan trustee or trust corporation or other body responsible for administering the affairs of a diocese, or an institution or agency of this Church or of a diocese;

"**Code of Conduct**" means a code of conduct approved from time to time under Part 2;

"**Director**" means the Director of the ESC appointed under the Special Tribunal Canon 2007;

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1 This Canon was provisionally made as Canon P4, 2004, and was amended and passed in 2007.
2 Added by Canon 11, 2022.

"**Episcopal Standards Commission**" or "**ESC**" means the Episcopal Standards Commission appointed under the Special Tribunal Canon 2007;

"**examinable conduct**" means any conduct or omission wherever or whenever occurring the subject of information which, if established, might call into question the fitness of a Bishop to hold office or to be or remain in Holy Orders but excludes any breach of faith, ritual or ceremonial;

"**information**" means information of whatever nature and from whatever source relating to the alleged misconduct or omission of a Bishop wherever or whenever occurring;

"**national register**" means a national register established pursuant to a Canon of General Synod for a purpose which includes the recording of determinations of the Board;

"**protocol**" means the protocol approved from time to time by the Standing Committee under Part 3;

"**relevant Metropolitan**", means:

(a) in relation to the bishop of a diocese:

(i) unless paragraph (iii) or (iv) applies, the Metropolitan of the Province in which the diocese is situated; or

(ii) if the diocese is an extra-provincial diocese, the Primate; or

(iii) if the bishop is the Metropolitan but not the Primate, the Primate; or

(iv) if the bishop is the Primate, the person who, at the relevant time, is the next most senior Metropolitan who is available, seniority being determined by the date of consecration; and

(b) in relation to any other Bishop, the Primate;

"**respondent**" means a Bishop whose alleged conduct or omission is the subject of information;

"**Standing Committee**" means the Standing Committee of General Synod;

"**Tribunal**" means the Special Tribunal.

PART 2 – CODE OF CONDUCT

3. The General Synod or the Standing Committee shall from time to time by resolution approve a Code of Conduct for observance by Bishops, which does not make provision for any matter concerning faith, ritual or ceremonial, provided that any changes to the Code of Conduct made by the Standing Committee shall be referred to the next session of General Synod for ratification.

4. The Standing Committee through the ESC and by such other means as may be considered appropriate shall take such steps as may be necessary or desirable to promote the knowledge, understanding and observance in this Church of the Code of Conduct. A code of conduct must not make provision for any matter concerning faith, ritual or ceremonial.

PART 3 – THE PROTOCOL

5. (1) The Standing Committee shall from time to time consider and approve a protocol for implementation in relation to information.

(2) The protocol must include:

(a) procedures for receiving information;

(b) provision for informing complainants and victims of alleged conduct the subject of information, and respondents, of rights, remedies and relevant procedures available to them;

(c) provision for assisting or supporting, as appropriate, all persons affected by alleged conduct the subject of information;

(d) an explanation of the processes for investigating and dealing with information;

(e) provisions for dealing fairly with respondents;

(f) processes for referral to mediation and conciliation in appropriate circumstances;

(g) provisions for information, reports, advice and recommendations to the Primate, the relevant Metropolitan and to the relevant Administrator at each stage of the process of dealing with information;

(h) procedures for working, where appropriate, with law enforcement, prosecution or child protection authorities of the States and Territories and of the Commonwealth of Australia.

6. The Standing Committee through the ESC and by such other means as it may consider appropriate shall take such steps as may be necessary or desirable to promote throughout the Church a knowledge and understanding of the protocol.

PART 4 – THE EPISCOPAL STANDARDS COMMISSION

7. (1) In addition to the powers conferred on it by the Special Tribunal Canon 2007 and subject to the provisions of this Canon the ESC has the following powers and duties:

(a) to implement the protocol to the extent that the protocol is not inconsistent with this Canon;

(b) to receive information;

(c) to act on information in accordance with the provisions of this Canon, and the protocol to the extent that it is not inconsistent with this Canon;

(d) to appoint suitable persons to fulfil the several roles required to implement the protocol in each particular case;

(e) where appropriate, to arrange for the conciliation or mediation of any complaint the subject of information;

(f) to investigate information in a timely and appropriate manner;

(g) where appropriate, to recommend to the Standing Committee any changes to the protocol;

(h) subject to any limit imposed by the Standing Committee to authorise such expenditure on behalf of the General Synod as may be necessary or appropriate to implement, in a particular case, the protocol and the provisions of this Canon;

(i) to advise any relevant Church body as to the financial, pastoral or other needs of a person affected by conduct the subject of information and as to any possible or actual legal proceedings against such Church body arising out of the alleged conduct of a bishop;

(j) to refer any information in its possession to a member of a law enforcement, prosecution or child protection authority of a State or Territory or of the Commonwealth of Australia to which the information is or may be relevant;

(k) to maintain proper records of all information received and of action taken in relation to such information.

(2) The Director may receive information on behalf of the ESC and shall carry out such functions under this Canon as the ESC may determine.

8. (1) In the exercise of its powers and duties under this Canon the provisions of sections 8, 9 and 10 of the Special Tribunal Canon 2007 shall apply to the ESC as if reference therein to the Tribunal were a reference to the Board and reference to a complaint were a reference to information.

(2) Subject to subsection (3), the ESC may delegate, upon such terms and conditions as the ESC may approve, any of its powers or functions under this Canon to any person.

(3) The ESC cannot delegate:

(a) its powers under subsection (2);

(b) its powers under section 13; or

(c) its powers under section 16.

(4) A delegation under this section must be made by instrument in writing signed by a member of the ESC.

PART 5 – EXAMINABLE CONDUCT

9. Subject to this Canon, where the ESC considers that the subject matter of information constitutes examinable conduct it shall investigate the information.

10. The ESC may decide not to investigate the information or may refrain from further investigation of the information if:

(a) in its opinion, the allegations the subject of the information are vexatious or misconceived, or their subject matter is trivial;

(b) the subject matter is under investigation by some other competent person or body or is the subject of legal proceedings;

(c) the person making allegations of examinable conduct or a person affected by the conduct the subject of the information has failed, when requested by the ESC, to provide further particulars or to verify the allegations by statutory declaration; or

(d) [3] in its opinion there is insufficient reliable evidence to warrant an investigation or further investigation; or

(e)[4] in its opinion the allegations of examinable conduct have been dealt with adequately.

11. For the purpose of an investigation the ESC or an investigator shall obtain such statutory declarations, written statements, recorded conversations, reports, documents and other material as the ESC or its delegate considers necessary or desirable.

12. (1) The ESC may by notice in writing to a respondent require the respondent to provide a detailed report to the ESC within the time specified in the notice in relation to any matter relevant to the investigation.

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3 Amended by Canon 12, 2022.

4 Added by Canon 12, 2022.

(2) It is the obligation of a respondent:

(a) not to mislead the ESC or a member or delegate of the ESC;

(b) not unreasonably to delay or obstruct the ESC or a member or delegate of the ESC in the exercise of powers conferred by this Canon.

(3) If a respondent declines to answer a question on the ground that the answer might tend to incriminate the person a written record shall be made of the question and of the ground of refusal.

13. (1) At any time after the ESC has commenced or caused to be commenced an investigation of information under this Part in circumstances where it considers that action may be taken under paragraph (b) or (c) of section 16, it may recommend to the Diocesan Council or, in the case of a Bishop who is not a diocesan bishop, to the Primate, that the Bishop be suspended from the duties of office.

(2) If the Diocesan Council, meeting when the Bishop is not present, or the Primate, as the case may be, concurs in the recommendation, the President of the Board, after considering any submission from the Bishop, may suspend the Bishop from the duties of office.

(3) The meeting of the Diocesan Council referred to in sub-section (2) shall be chaired by a Diocesan Bishop appointed by the Primate with the concurrence of a majority of the Metropolitans. The Diocesan Bishop so appointed shall not have a vote at the meeting.

(4) Where an investigation has been commenced against the Primate under this part, the powers and functions of the Primate under sub-section (3) shall be exercised by the person who would exercise the authorities, powers, rights and duties of the Primate if there were a vacancy in the office.

(5) For the purposes of this section a reference to the Metropolitans excludes a Metropolitan who at the time is the subject of an investigation under this part.

14. Before suspending a Bishop from the duties of office the President of the Board shall take into account:

(a) the seriousness of the conduct alleged in the information;

(b) the nature of the material to support or negate the allegations;

(c) whether any person is at risk of harm;

(d) after consultation with the relevant Diocesan Council or its representative, the effect on the respondent, a relevant Church body and on the Church in the diocese of acting and of not acting under section 13; and

(e) any other allegation of similar examinable conduct previously made to the ESC or to an equivalent body within the previous ten years;

and may take into account any other relevant matter.

15. (1) A suspension under section 13 or a voluntary standing down from office by the Bishop as a result of an investigation by the ESC:

(a) has effect as an absence of the Bishop from the see or from office as the case may require; and

(b) continues until it ceases to have effect by reason of:

(i) the ESC terminating the investigation without taking action under section 16;

(ii) a determination to that effect by the Board or the Tribunal as the case may be; or

(iii) the see or the office becoming vacant (whether or not under this Canon);

whichever first occurs.

(2) During any such suspension or voluntary standing down the Bishop is entitled to receive whatever stipend, allowances and other benefits that would otherwise have accrued and which are to be met or reimbursed by the body normally responsible for their payment.

16. At any time after the commencement of an investigation under this Part the ESC may:

(a) if it considers on reasonable grounds that the Bishop may be incapable, report the matter in writing to the relevant Metropolitan, and such report shall be a report for the purposes of section 4 of the Bishop (Incapacity) Canon 1995 as if it were made by three members of the synod of a diocese pursuant to that section;

(b) refer to the Board the fitness of the Bishop, whether temporarily or permanently, to hold office or to remain in Holy Orders;

(c) whether or not the information the subject of the investigation is also the subject of a complaint under the Special Tribunal Canon 2007, institute, amend or withdraw proceedings by way of charge against the Bishop before the Tribunal; or

(d) in the event that the bishop whose conduct is under investigation ceases to be a Bishop, refer the matter, together with such information as it shall have received, to the bishop of the diocese in which the former Bishop then resides.

17. (1) The fact that the subject matter of a complaint or dispute concerning examinable conduct may be settled or resolved in whole or in part between the parties affected thereby does not prevent the ESC from taking any of the steps referred to in section 16 in respect of the subject matter of the complaint or dispute.

(2) Any term of settlement or resolution referred to in sub-section (1) which purports to prevent or to limit the institution of such proceedings shall be of no effect.

(3)[5] A matter shall not be referred to the Board, a reference to the Board shall not continue and proceedings shall not be instituted or maintained in the Special Tribunal where the bishop concerned has relinquished or has been deposed from Holy Orders in accordance with the Holy Orders (Removal from Exercise of Ministry) Canon 2017.

PART 6 – EPISCOPAL STANDARDS BOARD

18. There shall be an Episcopal Standards Board constituted and appointed in accordance with the provisions of this Part.

19. (1) Subject to the provisions of this Canon the function of the Board is to inquire into and determine a question referred to it pursuant to section 16, to make a determination referred to in section 49 and where appropriate to make a recommendation in accordance with the provisions of this Canon.

(2) Subject to section 17(3) the Board may make a determination and recommendation referred to in sub-section (1) notwithstanding that the bishop whose conduct is the subject of the reference has ceased, after the reference, to be a Bishop.

20. (1) The members of the Board in a particular case shall be appointed from a panel comprising:

(a) a President and a Deputy President, both of whom shall be persons who are eligible for appointment as lay members of the Appellate Tribunal;

(b) five persons in bishop's orders; and

(c) five persons who are members of the Church not in bishop's orders.

(2) A person who is a member of the panel from whom the members of the Tribunal may be appointed is eligible for appointment to the panel.

21. The members of the panel shall be appointed by the Standing Committee and shall hold office in accordance with a resolution of the Standing Committee.

22. Any vacancy in the membership of the panel shall be filled by or in accordance with a resolution of the Standing Committee.

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5 Amended by Canon 18, 2017.

23. (1) The members of the panel to be convened for any reference to the Board shall be determined by the President or, if there is a vacancy in the office of President, by the Deputy President.

(2) For the purpose of any reference to the Board, the Board shall consist of the President or Deputy President, who shall be the presiding member, and an equal number not exceeding two of the episcopal and other members of the panel.

(3) Where possible, the Board shall include at least one man and at least one woman.

(4) Where, in the opinion of the President or, if there is a vacancy in the office of the President, in the opinion of the Deputy President a member of the panel has a personal interest in a matter before the Board the member shall be disqualified from participating in the reference.

(5) For the purposes of this section a vacancy in the office of President includes a situation in which the President is not able to act because of a personal interest in a matter, illness or absence from Australia.

24. (1) The Rules of the Board made under this Part may provide that, in relation to the exercise of specified functions, or in relation to matters of a specified class, the Board may, at the direction of the presiding member, be constituted by a single member sitting alone.

(2) The Board, if constituted by a single member sitting alone, cannot make a determination under section 49.

25. If a member of the Board, other than the presiding member, dies or is for any other reason unable to continue with any matter referred to the Board, the Board constituted of the presiding member and the other member or members may, if the presiding member so determines, continue and complete the reference.

26. The Board, separately constituted in accordance with this Part, may sit simultaneously for the purpose of matters referred to it or for conducting separate business of the Board.

27. An act or proceeding of the Board is not invalid by reason only of a vacancy in its membership or of the membership of the panel and, notwithstanding the subsequent discovery of a defect in the nomination or appointment of members of the panel or the Board, any such act or proceeding is as valid and effectual as if the member had been duly nominated or appointed.

28. There shall be a Secretary to the Board who shall be appointed by or in accordance with a resolution of the Standing Committee, and whose duties shall be defined by the President.

29. (1) In any proceedings of the Board where the Board is constituted by two or more members:

(a) any question of law or procedure will be determined by the presiding member; and

(b) any other question will be determined by majority decision of the members, and in the case of an equality of votes the opinion of the presiding member shall prevail.

(2) Where the Board is constituted by a member sitting alone who is not the President or the Deputy President, any question of law that arises must be referred to the President or Deputy President for decision and any decision made on such a reference is a decision of the Board.

(3) The Board must act with fairness and according to equity, good conscience and the substantial merits of the case without regard to technicalities or legal forms and is not bound by the rules of evidence but may inform itself on any matter in such manner as it thinks fit.

(4) Without limiting the meaning and effect of sub-section (3), the Board may receive evidence of a witness in the form of an affidavit, statutory declaration or a signed statement without the need for the personal attendance of the witness, and may also use electronic means such as video link or conference telephone to receive evidence and submissions, but must permit the respondent and his representative (if any) opportunity to adequately cross-examine each witness

(5) The Board may inform itself from the record of any court or tribunal and may adopt any findings, and accept as its own, the record of any court or tribunal.

30. The Board may, for the purpose of any particular reference and at the cost of the General Synod, appoint such person or persons, including the Director, to assist it in inquiring into (but not determining) that reference as the Board thinks fit.

31. The Board must give reasons for any determination, other than by way of directions in the course of an inquiry, unless the determination is made by consent of the respondent.

32. (1) The Board has no power to award costs of any proceedings before it.

(2) A bishop in relation to whom a question is the subject of a reference to the Board may apply to the Standing Committee for the provision of legal assistance.

(3) The Standing Committee may grant legal assistance to a bishop on such terms and subject to such conditions as it shall determine.

33. (1) The President may make Rules of the Board reasonably required by or pursuant to this Canon and in relation to the practice and procedure of the Board.

(2) Subject to this Canon and the relevant Rules, the practice and procedure of the Board will be as directed by the presiding member of the Board.

PART 7 – REFERENCE OF MATTERS TO THE EPISCOPAL STANDARDS BOARD

34. A question shall be referred to the Board by delivering to the Secretary of the Board a written report of the investigation of the ESC signed by a member of the ESC.

35. The Board shall not, in the course of inquiring into any question:

    (a) inquire into any matter which is or has been the subject of any formal investigation or enquiry conducted;

        (i) under or pursuant to any provision of the Constitution; or

        (ii) under or pursuant to a Canon of the General Synod or an Ordinance of a diocese relating to the discipline of clergy or Church workers by a board of enquiry, tribunal or other body;

    but may take into account the finding of any such formal investigation or enquiry;

    (b) inquire into, make any findings in relation to or take into account any alleged breach of:

        (i) faith of the Church, including the obligation to hold the faith;

        (ii) ritual of the Church, including the rites according to the use of the Church and the obligation to abide by such use; or

        (iii) ceremonial of the Church, including ceremonial according to the use of the Church and the obligation to abide by such use.

36. (1) Upon delivery of the report to the Secretary of the Board, the President or Deputy President as the case may be shall as soon as possible determine the membership of the Board for the purpose of the reference.

    (2) The President or Deputy President as the case may require shall thereupon cause to be convened a sitting for the purpose of giving directions.

    (3) A person or body appearing or represented before the Board shall comply with the Rules of the Board and with any directions given by the Board.

37. Within 14 days of the date of the reference of a matter to the Board or within 14 days of the date of the document or material coming to existence, whichever is the later, the ESC shall cause to be delivered to the Secretary of the Board any documents and material relevant to the reference.

38. The ESC, as soon as practicable after delivering the report referred to in section 34 to the Secretary of the Board, shall cause a signed copy of the report to be delivered to the respondent.

39. The Board may at any time and from time to time give directions:

(a) as to the inspection by and supply of copies to the respondent or any other person of the documents or material relevant to the reference;

(b) as to the conduct of its inquiry into the reference.

40. The Board may at any time and from time to time give directions to the ESC as to any further inquiries or investigation it requires to be carried out for the purposes of the reference and the ESC shall to the best of its ability cause such directions to be carried out.

41. (1) The Board shall deal with any reference as expeditiously as possible.

(2) The Board may, if it sees fit, proceed with the determination of a reference notwithstanding that there may be mediation or conciliation proceedings relating to the subject matter of the reference being conducted by or at the direction of the ESC and notwithstanding that there may be criminal or other proceedings being taken against the respondent or some other person.

42. (1) The place and time of sitting of the Board comprising two or more members shall be as determined by the presiding member.

(2) The place and time of sitting of the Board comprising one member shall be as determined by that member.

43. (1) Subject to sub-section (2), the Board must give the following persons reasonable notice of the time and place of a sitting of the Board:

(a) the Director; and

(b) the respondent; and

(c) such other persons as the Board believes have a proper interest in the matter.

(2) The Board is not obliged to give notice of a sitting to a person whose whereabouts cannot, after reasonable enquiries, be ascertained.

44. In any proceedings before the Board:

(a) the ESC and any person may be represented by a legal practitioner or, with leave of the Board, by any other person;

(b) the ESC or its appointed representative shall do all in its power to assist the Board and shall carry out any directions of the Board;

(c) the Board:

(i) must give the ESC and the respondent a reasonable opportunity to call or give evidence, to examine or cross-examine witnesses and to make submissions to the Board; and

(ii) must give any other person to whom notice of the proceedings was given or who satisfies the Board that he or she has a proper interest in the matter a reasonable opportunity to make submissions to the Board.

45. (1) Subject to sub-section (2), a sitting of the Board on a reference before the Board is an open sitting.

(2) On any such sitting before the Board, the Board has an absolute discretion:

(a) to direct that no person other than:

(i) the respondent and any person representing him or her in the proceedings; and

(ii) witnesses or persons making submissions (while giving evidence or making those submissions); and

(iii) officers of the Board or persons assisting the Board; and

(iv) members of or persons appointed by the ESC; be present in the room while the Board is sitting; or

(b) to direct that a particular person (other than a person referred to in paragraph (a)) not be present in the room while the Board is sitting.

46. The Board may make a determination in any proceedings in the absence of a person affected by the determination if satisfied that reasonable efforts were made to give that person an opportunity to appear.

47. (1) The Board may require a respondent to submit within a specified time to a medical, psychiatric or psychological examination by a person approved by the Board the cost of which shall be met from funds under the control of the General Synod.

(2) A copy of the report of an examination under subsection (1) shall be provided to the respondent and to the Board.

48. In making any determination the Board shall take into account:

(a) the conduct of the bishop as it finds it to have been;

(b) in the material before the Board, any other fact or circumstance relevant to the determination of the question before it; and

(c) any failure of the bishop to comply with a provision of this Canon or with a direction of the Board.

49. If, after investigating the question referred to it about a bishop, the Board is satisfied that:

(a) the bishop should be counselled;

(b) the bishop's continuation in office should be subject to conditions or restrictions;

(c) the bishop is unfit, whether temporarily or permanently, to hold office; or

(d) the bishop is unfit to remain in Holy Orders;

the Board may determine accordingly and may:

(e) direct that the bishop be counselled;

(f) direct that the bishop's holding of office shall be subject to such conditions or restrictions as the Board may specify;

(g) direct that the bishop cease to carry out the duties and functions of his office from such time and for such period determined by the Board;

(h) direct that the bishop resign from the office, within such time as is specified by the Board;

(i) direct that the operation of a determination referred to in paragraphs (f) to (h) shall be suspended for such period and upon such conditions as the Board shall specify;

(j) direct that the bishop relinquish Holy Orders within such time as is specified by the Board;

(k) give such other direction as the Board sees fit.

50. The Board shall cause a copy of each determination and direction to be provided:

(a) to the Primate;

(b) to the relevant Metropolitan;

(c) to the respondent;

(d) to the relevant administrator; and

shall cause relevant details to be forwarded for entry into the national register.

51. (1) The bishop shall comply with a direction of the Board.

(2) Failure of the bishop to comply with a direction of the Board is an offence.

(3) The ESC may institute proceedings forthwith in the Tribunal in respect of an offence against this section or, if the bishop is no longer a Bishop, shall refer the matter, together with such relevant information concerning the alleged offence as may be in its possession, to the bishop of the diocese in which the bishop is then resident.

PART 8 – APPEAL

52. In this Part, unless the context otherwise requires

"**reviewable decision**" means a recommendation or determination of the Board other than by way of an interlocutory order;

"**Review Tribunal**" means the Review Tribunal referred to in section 63A of the Constitution or, if no such section has been enacted, a Review Tribunal constituted for the purposes of this Part;

"**the appropriate State professional body**" means the Bar Association or equivalent body or, if there is no such body, the Law Society of the State or Territory in which the Bishop when a Bishop resides or resided as the case may be;

"**the relevant Chancellor**" means the Primate's Chancellor or, if the intended subject of a review under this Part is the Primate, the Chancellor of the Senior Metropolitan referred to in section 10 of the Constitution.

53. For the purposes of this Canon the Review Tribunal shall consist of a barrister of not less than 5 years standing appointed by the President of the appropriate State professional body or, if the President is unwilling to appoint, or unreasonably delays doing so, appointed by the relevant Chancellor.

54. A bishop who is aggrieved by a reviewable decision may apply to the Director for a review of the decision.

55. The application may be made on any one or more of the following grounds:

(a) That a breach of the rules of natural justice happened in relation to the making of the reviewable decision which materially affected the decision;

(b) That procedures that were required by this Canon to be observed in relation to the making of the reviewable decision were not observed, and the non-observance materially affected the decision;

(c) That the Board did not have jurisdiction to make the reviewable decision; or

(d) That the reviewable decision was so devoid of any plausible justification that no reasonable Board could have made it.

56. For a reviewable decision, the provisions of section 51 shall not apply until the time for lodging an application for review has passed, and no application has been lodged.

57. The making of an application for review acts as a stay of the reviewable decision pending determination by the Review Tribunal.

58. For a reviewable decision, the Board shall not cause the relevant details to be forwarded for entry into the national register under section 50 until:

(a) the time for lodging an application for review has passed, and no application has been lodged; or

(b) where an application for review has been heard and determined, the determination has been made.

59. If leave to appeal is refused or a determination on review confirms or varies a reviewable decision, then the Board must cause the details of the confirmed or varied decision to be forwarded for entry into the national register as soon as it receives the Review Tribunal's determination.

60. If a Review Tribunal's determination refers a matter back to the Board, then the Board must:

(a) determine to take no further action in respect of the matter; or

(b) deal with the matter in accordance with Part VII of this Canon, in accordance with such directions or recommendations as the Review Tribunal may make in the Tribunal's determination; or

(c) deal with the matter in accordance with Part VII of this Canon applying such of the provisions of Part VII as, in the discretion of the Board and in accordance with the Review Tribunal's determination, the Board sees fit.

61. An application to the Director for review of the reviewable decision must be made within 14 days of the bishop's being provided with a copy of the Boards determination and recommendation under section 50. The application for review must:

(a) be in writing addressed to the Director; and

(b) set out the grounds for review in the application.

62. On receipt of an application for review, the Director must immediately seek the appointment of a Review Tribunal.

63. Upon appointment of a Review Tribunal, the Director must ask the Review Tribunal for the Tribunal's estimate of the fee to be charged by the Review Tribunal in making a determination under this Part. Upon receipt of advice as to the estimated fee, the Director must immediately notify the applicant. Within 7 days of receipt of the Director's advice, or such further time as the Review Tribunal may allow, the applicant must pay one half of the estimated fee to the Review Tribunal, or to a person nominated by the Tribunal. If the applicant fails to make the payment within the time specified, then the application for review will lapse.

64. Unless otherwise specified in this Canon, the manner in which the review is to be conducted will be determined by the Review Tribunal.

65. On an application for review of a reviewable decision, the Review Tribunal may make all or any of the following determinations:

(a) a determination quashing or setting aside the reviewable decision;

(b) a determination referring the matter to which the reviewable decision relates to the Board for further consideration, subject to such directions (including the setting of time limits for the further consideration, and for the steps to be taken in the further consideration) as the Review Tribunal determines;

(c) a determination declaring the rights of the applicant in relation to any matter to which the reviewable decision relates;

(d) a determination directing either the applicant or the Board, to do, or to refrain from doing, anything that the Review Tribunal considers necessary to do justice between the parties; or

(e) a determination confirming the reviewable decision.

66. The Review Tribunal may make such order as to the costs of the review as the Tribunal thinks fit.

67. The review shall be by way of a review of the recommendation or determination that is the subject of the review and not by way of re-hearing.

PART 9 – REGULATIONS

68. The Standing Committee may from time to time make, amend or repeal Regulations, not inconsistent with the provisions of this Canon, providing for records arising out of or incidental to the operation of this Canon, and for all or any of the purposes whether general or to meet particular cases, which may be convenient for the administration of this Canon or which may be necessary or expedient to carry out the objects and purposes of this Canon.

PART 10 – ADOPTION

69. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the Diocese.

EPISCOPAL STANDARDS (CHILD PROTECTION) CANON 2017

Incorporating in full the provisions of the Episcopal Standards Canon 2007 as incorporated and modified for the purpose of examinable conduct as defined in the Episcopal Standards (Child Protection) Canon 2017

Canon 5, 2017 as amended by
Canon 7, 2022
Canon 8, 2022
Canon 9, 2022
Canon 11, 2022

The General Synod prescribes as follows:

PART 1

Title

1. This Canon is the Episcopal Standards (Child Protection) Canon 2017.

Definitions

2. (1) In this Canon, unless the context otherwise requires:

actual knowledge[1] includes –

(a) wilfully shutting one's eyes to the obvious; or

(b) wilfully and recklessly failing to make such inquiries as an honest and reasonable person would make;

Administrator means the person who would, in the absence or incapacity of a Bishop, be the administrator of a diocese;

assistant to the Primate means any bishop assistant to the Primate in the Primate's capacity as Primate;

authorisation to function[2] means a licence or any written instrument by which a member of the clergy is appointed, authorised, permitted or sanctioned to exercise ministry as a member of the clergy and **authorising to function** and **authorised to function** have a corresponding meaning;

Bishop means a bishop who is or was a member of the House of Bishops or an assistant to the Primate;

1 Added by Canon 11, 2022.
2 Added by Canon 11, 2022.

bishop means a person in bishop's orders;

Board means the Episcopal Standards Board established under Part 6;

…[3]

child abuse has the same meaning as in the National Register Canon 2007;

Church means the Anglican Church of Australia;

Church body includes the Primate, the General Synod, a diocese, diocesan synod, diocesan council, diocesan trustee or trust corporation or other body responsible for administering the affairs of a diocese, or an institution or agency of this Church or of a diocese;

church worker[4] means a person who is not a member of the clergy and who—

(a) is permitted to function by the Bishop of a diocese;

(b) is employed by a Church body; or

(c) whether for payment or not, holds a position or performs a function with the actual or apparent authority of a Church authority or a Church body;

Code of Conduct means a code of conduct approved from time to time under Part 2;

complying ordinance means an ordinance of a diocese relating to episcopal standards or professional standards in which examinable conduct or misconduct which may give rise to a question of fitness to be determined by the board constituted under that ordinance is defined as including examinable conduct as defined in this canon and which applies to a Bishop;

Director means the Director of the ESC appointed under the Special Tribunal Canon 2007;

Episcopal Standards Commission or **ESC** means the Episcopal Standards Commission appointed under the Special Tribunal Canon 2007;

examinable conduct means:

(a) in relation to a Bishop who is a member of the House of Bishops or assistant to the Primate, any conduct or omission, other than exempt conduct, involving:

  (i) child abuse; or

  (ii) conduct that impedes or undermines a professional standards process; or

3 Definition of 'child' repealed by Canon 7, 2022 and Canon 8, 2022 which came into effect on 10 March 2025.
4 Added by Canon 11, 2022.

(iii) [5]the failure without reasonable excuse to perform a duty or a function under a professional standards process; or

(iiia) [6]the failure without reasonable excuse to exercise a power to initiate, or to investigate whether to initiate, a professional standards process;

(iv) the failure without reasonable excuse to comply with the laws of the Commonwealth, a State or Territory requiring the reporting of child abuse to the police or other authority;

(v) subject to section 60(2) of the Constitution, the failure without reasonable excuse to give effect to a recommendation to the Bishop under a professional standards process;

(vi) the Bishop ordaining or authorising to function a member of the clergy or permitting to function a church worker contrary to, or in the absence of, a recommendation of a screening authority, or with actual knowledge or reasonable grounds for suspecting that the screening authority may not have properly discharged its statutory functions in making its relevant recommendation;

(vii) the Bishop ordaining or authorising to function a member of the clergy, or permitting to function a church worker, who poses a serious risk to the safety of children with actual knowledge or reasonable grounds for suspecting that the person poses that risk;

wherever or whenever occurring, and the subject of information which, if established, might call into question the fitness of the Bishop to hold office or to remain in Holy Orders, but excludes any breach of faith, ritual or ceremonial;

(b) in relation to a Bishop who was a member of the House of Bishops or an assistant to the Primate, any conduct or omission involving:

(i) child abuse; or

(ii) conduct that impedes or undermines a professional standards process; or

(iii) the failure without reasonable excuse to perform a duty or a function under a professional standards process; or[7]

(iv) the failure without reasonable excuse to comply with the laws of the Commonwealth, a State or Territory requiring the reporting of child abuse to the police or other authority;

(v) [8]subject to section 60(2) of the Constitution, the failure without reasonable excuse to give effect to a recommendation given to the Bishop under a professional standards process;

(vi) ordaining or authorising to function a member of the clergy or permitting to function a church worker contrary to, or in the absence

5 Amended by Canon 11, 2022.
6 Sub-paragraphs (iiia), (v), (vi) and (vii) added by Canon 11, 2022.
7 Amended by Canon 11, 2022
8 Sub-paragraphs (v), (vi) and (vii) added by Canon 11, 2022.

of, a recommendation of a screening authority, or with actual knowledge or reasonable grounds for suspecting that the screening authority may not have properly discharged its statutory functions in making its relevant recommendation;

(vii) the Bishop ordaining or authorising to function a member of the clergy, or permitting to function a church worker, who poses a serious risk to the safety of children with actual knowledge or reasonable grounds for suspecting that the person poses that risk.

occurring while a member of the House of Bishops or assistant to the Primate whether before or after the commencement of this canon, and the subject of information which, if established, might call into question the fitness of the Bishop to hold office or to remain in Holy Orders, but excludes any breach of faith, ritual or ceremonial;

exempt conduct means any conduct or omission which would be examinable conduct, had not the Bishop disclosed the material facts of such conduct to the ordaining bishop prior to the Bishop's ordination as a deacon;

former Bishop means a Bishop whose conduct falls within paragraph (b) of the definition of examinable conduct;

information means information of whatever nature and from whatever source relating to the alleged misconduct or omission of a Bishop wherever or whenever occurring;

member of the clergy[9] means a person who is a bishop, priest or deacon in the Church;

national register means a national register established pursuant to a Canon of General Synod for a purpose which includes the recording of determinations of the Board;

permission to function[10] means a licence or any written instrument by which a person who is not a member of the clergy is appointed, authorised, permitted or sanctioned to exercise ministry and **permitting to function** and **permitted to function** have a corresponding meaning;

professional standards process means a process for determining the fitness for office of clergy or lay persons under any canon of the General Synod or diocesan ordinance or a process under Chapter IX of the Constitution, where the conduct that is the subject of the process relates to child abuse;

protocol means the protocol approved from time to time by the Standing Committee under Part 3;

9 Added by Canon 11, 2022.
10 Added by Canon 11, 2022.

recommendation[11] includes a recommendation validly varied or modified pursuant to a diocesan ordinance;

relevant diocesan bishop[12] in relation to a former Bishop means the bishop of the diocese in which the former Bishop is authorised to function or resides.

relevant Metropolitan, [13] means:

(a) in relation to the bishop of a diocese:

(i) unless paragraph (iii) or (iv) applies, the Metropolitan of the Province in which the diocese is situated; or

(ii) if the diocese is an extra-provincial diocese, the Primate; or

(iii) if the bishop is the Metropolitan but not the Primate, the Primate; or

(iv) if the bishop is the Primate, the person who, at the relevant time, is the next most senior Metropolitan who is available, seniority being determined by the date of consecration; and

(b) in relation to any other member of the House of Bishops or an assistant to the Primate, the Primate;

(c) in relation to a former Bishop;

(i) the Metropolitan of the Province in which the Bishop is authorised to function or resides; or

(ii) if the Bishop is authorised to function or resides in an extra provincial diocese, the Primate.

respondent means a Bishop whose alleged conduct or omission is the subject of information;

…[14][15]

standard of screening[16] means—

(a) in a diocese in which the Safe Ministry to Children Canon 2017 is in force, a standard of screening applying under Part 3 of that Canon; or

(b) in a diocese in which the Safe Ministry to Children Canon 2017 is not in force, the standard of screening applying in that diocese;

Standing Committee means the Standing Committee of General Synod;

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11 Added by Canon 11, 2022.
12 Amended by Canon 11, 2022.
13 Amended by Canon 11, 2022.
14 Added by Canon 11, 2022.
15 Definition of 'sexual offence relating to a child' repealed by Canon 7, 2022 which came into effect on 10 March 2025.
16 Added by Canon 11, 2022.

Tribunal means the Special Tribunal.

(1A) [17] For the purposes of this Canon, a person has a conflict of interest when their responsibilities arising from their role may be influenced or affected, or may be perceived as being influenced or affected, by—

(a) their personal financial interest, or those of their family or friends;

(b) their reputation, or that of their family or friends;

(c) their obligations or loyalty to another person or organisation;

(d) their previous or current relationship (whether personal or professional) with someone who might be affected by how they discharge those responsibilities; or

(e) their previous or current involvement in another capacity in a matter now falling within those responsibilities.

(2) Where there is examinable conduct in relation to a former Bishop, the examinable conduct extends to any other conduct or omission of the former Bishop that falls within subparagraphs (i) to (iv) of paragraph (b) of the definition of examinable conduct (other than exempt conduct), but occurring before or after any period in which the Bishop was a member of the House of Bishops or an assistant to the Primate, and is the subject of information that, if established, together with the relevant conduct or omission occurring while a member of the House of Bishops or assistant to the Primate, might call into question the fitness of the Bishop to hold office or to remain in Holy Orders (but excluding any breach of faith, ritual or ceremonial).

PART 2 – CODE OF CONDUCT

3. The General Synod or the Standing Committee shall from time to time by resolution approve a Code of Conduct for observance by Bishops, which does not make provision for any matter concerning faith, ritual or ceremonial, provided that any changes to the Code of Conduct made by the Standing Committee shall be referred to the next session of General Synod for ratification.

4. The Standing Committee through the ESC and by such other means as may be considered appropriate shall take such steps as may be necessary or desirable to promote the knowledge, understanding and observance in this Church of the Code of Conduct. A code of conduct must not make provision for any matter concerning faith, ritual or ceremonial.

17 Added by Canon 11, 2022.

PART 3 – THE PROTOCOL

5. (1) The Standing Committee shall from time to time consider and approve a protocol for implementation in relation to information.

(2) The protocol must include:

(a) procedures for receiving information;

(b) provision for informing complainants and victims of alleged conduct the subject of information, and respondents, of rights, remedies and relevant procedures available to them;

(c) provision for assisting or supporting, as appropriate, all persons affected by alleged conduct the subject of information;

(d) an explanation of the processes for investigating and dealing with information;

(e) provisions for dealing fairly with respondents;

(f) processes for referral to mediation and conciliation in appropriate circumstances;

(g) provisions for information, reports, advice and recommendations to the Primate, the relevant Metropolitan and to the relevant Administrator at each stage of the process of dealing with information;

(h) procedures for working, where appropriate, with law enforcement, prosecution or child protection authorities of the States and Territories and of the Commonwealth of Australia.

6. The Standing Committee through the ESC and by such other means as it may consider appropriate shall take such steps as may be necessary or desirable to promote throughout the Church a knowledge and understanding of the protocol.

PART 4 – THE EPISCOPAL STANDARDS COMMISSION

7. (1) In addition to the powers conferred on it by the Special Tribunal Canon 2007 and subject to the provisions of this Canon the ESC has the following powers and duties:

(a) to implement the protocol to the extent that the protocol is not inconsistent with this Canon;

(b) to receive information;

(c) to act on information in accordance with the provisions of this Canon, and the protocol to the extent that it is not inconsistent with this Canon;

(d) to appoint suitable persons to fulfil the several roles required to implement the protocol in each particular case;

(e) where appropriate, to arrange for the conciliation or mediation of any complaint the subject of information;

(f) to investigate information in a timely and appropriate manner;

(g) where appropriate, to recommend to the Standing Committee any changes to the protocol;

(h) subject to any limit imposed by the Standing Committee to authorise such expenditure on behalf of the General Synod as may be necessary or appropriate to implement, in a particular case, the protocol and the provisions of this Canon;

(i) to advise any relevant Church body as to the financial, pastoral or other needs of a person affected by conduct the subject of information and as to any possible or actual legal proceedings against such Church body arising out of the alleged conduct of a bishop;

(j) to refer any information in its possession to a member of a law enforcement, prosecution or child protection authority of a State or Territory or of the Commonwealth of Australia to which the information is or may be relevant;

(k) to maintain proper records of all information received and of action taken in relation to such information;

(l) to have carriage under this Canon of the referral of a question to the Board from an equivalent body to the ESC under a complying ordinance.

(2) The Director may receive information on behalf of the ESC and shall carry out such functions under this Canon as the ESC may determine.

8. (1) In the exercise of its powers and duties under this Canon the provisions of sections 8, 9 and 10 of the Special Tribunal Canon 2007 shall apply to the ESC as if reference therein to the Tribunal were a reference to the Board and reference to a complaint were a reference to information.

(2) Subject to subsection (3), the ESC may delegate, upon such terms and conditions as the ESC may approve, any of its powers or functions under this Canon to any person.

(3) The ESC cannot delegate:

(a) its powers under subsection (2);

(b) its powers under section 13; or

(c) its powers under section 16.

(4) A delegation under this section must be made by instrument in writing signed by a member of the ESC.

PART 5 – EXAMINABLE CONDUCT

9. Subject to this Canon, where the ESC considers that the subject matter of information constitutes examinable conduct it shall investigate the information.

10. The ESC may decide not to investigate the information or may refrain from further investigation of the information if:

    (a) in its opinion, the allegations the subject of the information are vexatious or misconceived, or their subject matter is trivial;

    (b) the subject matter is under investigation by some other competent person or body or is the subject of legal proceedings;

    (c) the person making allegations of examinable conduct or a person affected by the conduct the subject of the information has failed, when requested by the ESC, to provide further particulars or to verify the allegations by statutory declaration; or

    (d) in its opinion there is insufficient reliable evidence to warrant an investigation or further investigation.

11. For the purpose of an investigation the ESC or an investigator shall obtain such statutory declarations, written statements, recorded conversations, reports, documents and other material as the ESC or its delegate considers necessary or desirable.

12. (1) The ESC may by notice in writing to a respondent require the respondent to provide a detailed report to the ESC within the time specified in the notice in relation to any matter relevant to the investigation.

    (2) It is the obligation of a respondent:

        (a) not to mislead the ESC or a member or delegate of the ESC;

        (b) not unreasonably to delay or obstruct the ESC or a member or delegate of the ESC in the exercise of powers conferred by this Canon.

    (3) If a respondent declines to answer a question on the ground that the answer might tend to incriminate the person a written record shall be made of the question and of the ground of refusal.

12A. [18] When the ESC has commenced an investigation of information under this Part, it must conduct an initial assessment to identify any risks to children and must take whatever steps are reasonably available and practicable to minimise risks identified.

[18] Added by Canon 11, 2022.

13. (1) [19] Subject to section 14A, where at any time after the ESC has commenced or caused to be commenced an investigation of information under this Part it considers that action may be taken under paragraph (b) or (c) of section 16, it may recommend to the Diocesan Council or, in the case of a Bishop who is not a diocesan bishop, to the Primate, that the Bishop be suspended from the duties of office.

(2) If the Diocesan Council, meeting when the Bishop is not present, or the Primate, as the case may be, concurs in the recommendation, the President of the Board, after considering any submission from the Bishop, may suspend the Bishop from the duties of office.

(3) The meeting of the Diocesan Council referred to in sub-section (2) shall be chaired by a Diocesan Bishop appointed by the Primate with the concurrence of a majority of the Metropolitans. The Diocesan Bishop so appointed shall not have a vote at the meeting.

(4) Where an investigation has been commenced against the Primate under this part, the powers and functions of the Primate under sub-section (3) shall be exercised by the person who would exercise the authorities, powers, rights and duties of the Primate if there were a vacancy in the office.

(5) For the purposes of this section a reference to the Metropolitans excludes a Metropolitan who at the time is the subject of an investigation under this part.

14. [20] Before suspending a Bishop from the duties of office under section 13 the President of the Board shall take into account:

(a) the seriousness of the conduct alleged in the information;

(b) the nature of the material to support or negate the allegations;

(c) whether any person is at risk of harm;

(d) after consultation with the relevant Diocesan Council or its representative, the effect on the respondent, a relevant Church body and on the Church in the diocese of acting and of not acting under section 13; and

(e) any other allegation of similar examinable conduct previously made to the ESC or to an equivalent body within the previous ten years;

and may take into account any other relevant matter.

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19 Amended by Canon 9, 2022.

20 Amended by Canon 11, 2022.

14A[21] This section applies if, at any time after it has commenced or caused to be commenced under this or any other Canon an investigation of a complaint, the ESC forms the opinion that—

(a) the complaint involves a sexual offence relating to a child by a person who is a Bishop; and

(b) the complaint is plausible.

14B[22] (1) If section 14A applies, the ESC must recommend to the President of the Board that the person be suspended from the duties of office.

(2) Where the ESC makes a recommendation under sub-section (1), the President of the Tribunal must suspend the person from the duties of office.

(3) A person suspended under sub-section (2) from the duties of a paid office, or a person to whom section 14A applies who voluntarily stands aside from performing the duties of office, is deemed to be on paid leave and to be absent from the State or Territory in which the duties of office would otherwise be performed.

14C[23] (1) A person suspended from the duties of office under section 14B(2) remains suspended until—

(a) the ESC decides to refrain from further investigation under one or both of—

(i) paragraphs (a), (b) or (c) of section 19 of the Special Tribunal Canon 2007; or
(ii) paragraphs (a), (b) or (c) of section 10 of this Canon—

and there are no other investigations in relation to that person to which section 14A applies; or

(b) the conclusion of an investigation or legal proceedings referred to in section 19(b) of the Special Tribunal Canon 2007 or section 10(b) of this Canon when there are no other investigations to which 14A applies; or

(c) the person has been deposed from Holy Orders, prohibited from functioning in an order of ministry, or relinquished the exercise of some or all Holy Orders under the Constitution or a canon of the General Synod; or

(d) the ESC brings a charge of a sexual offence relating to a child against the person—

whichever occurs first.

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21 Added by Canon 9, 2022.
22 Added by Canon 9, 2022.
23 Added by Canon 9, 2022.

15. (1) [24] A suspension under sections 13 or 14A or a voluntary standing down from office by the Bishop as a result of an investigation by the ESC:

(a) has effect as an absence of the Bishop from the see or from office as the case may require; and

(b) continues until it ceases to have effect by reason of:

(i) the ESC terminating the investigation without taking action under section 16;

(ii) a determination to that effect by the Board or the Tribunal as the case may be; or

(iii) the see or the office becoming vacant (whether or not under this Canon);

whichever first occurs.

(2) During any such suspension or voluntary standing down the Bishop is entitled to receive whatever stipend, allowances and other benefits that would otherwise have accrued and which are to be met or reimbursed by the body normally responsible for their payment.

16. At any time after the commencement of an investigation under this Part the ESC may:

(a) if it considers on reasonable grounds that the Bishop may be incapable, report the matter in writing to the relevant Metropolitan, and such report shall be a report for the purposes of section 4 of the Bishop (Incapacity) Canon 1995 as if it were made by three members of the synod of a diocese pursuant to that section;

(b) refer to the Board the fitness of the Bishop, whether temporarily or permanently, to hold office or to remain in Holy Orders;

(c) whether or not the information the subject of the investigation is also the subject of a complaint under the Special Tribunal Canon 2007, institute, amend or withdraw proceedings by way of charge against the Bishop before the Tribunal.

17. (1) The fact that the subject matter of a complaint or dispute concerning examinable conduct may be settled or resolved in whole or in part between the parties affected thereby does not prevent the ESC from taking any of the steps referred to in section 16 in respect of the subject matter of the complaint or dispute.

(2) Any term of settlement or resolution referred to in sub-section (1) which purports to prevent or to limit the institution of such proceedings shall be of no effect.

(3) A matter shall not be referred to the Board, a reference to the Board shall not continue and proceedings shall not be instituted or maintained in the Special Tribunal where the bishop concerned has relinquished or has been deposed from Holy Orders in accordance with the Holy Orders Relinquishment and Deposition Canon 2004.

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[24] Amended by Canon 9, 2022.

PART 6 – EPISCOPAL STANDARDS BOARD[25]

18. There shall be an Episcopal Standards Board constituted and appointed in accordance with the provisions of this Part.

19. (1) Subject to the provisions of this Canon the function of the Board is to inquire into and determine a question referred to it pursuant to section 16 or pursuant to a corresponding provision of a complying ordinance, to make a determination referred to in section 49 and where appropriate to make a recommendation in accordance with the provisions of this Canon.

(2) Subject to section 17(3) the Board may make a determination and recommendation referred to in sub-section (1) notwithstanding that the bishop whose conduct is the subject of the reference has ceased, after the reference, to be a Bishop.

(3) Where there is a referral of a question to the Board from an equivalent body to the ESC under a complying ordinance, if the equivalent body would have, but for this Canon, referred at the same time other complaints against the Bishop to the board constituted under the complying ordinance in respect of conduct that does not fall within examinable conduct as defined in this Canon which might call into question the fitness of the Bishop to hold office or to remain in Holy Orders, the equivalent body may refer to the Board, and the Board may determine, the question arising from the conduct other than the examinable conduct in conjunction with the question arising from the examinable conduct.

20. (1) The members of the Board in a particular case shall be appointed from a panel comprising:

(a) a President and a Deputy President, both of whom shall be persons who are eligible for appointment as lay members of the Appellate Tribunal;

(b) five persons in bishop's orders; and

(c) five persons who are members of the Church not in bishop's orders.

(2) A person who is a member of the panel from whom the members of the Tribunal may be appointed is eligible for appointment to the panel.

21. The members of the panel shall be appointed by the Standing Committee and shall hold office in accordance with a resolution of the Standing Committee.

22. Any vacancy in the membership of the panel shall be filled by or in accordance with a resolution of the Standing Committee.

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25 The Episcopal Standards Board established by Part 6 of the Episcopal Standards Canon 2007 is the Episcopal Standards Board for the purpose of this Canon.

23. (1) The members of the panel to be convened for any reference to the Board shall be determined by the President or, if there is a vacancy in the office of President, by the Deputy President.

(2) For the purpose of any reference to the Board, the Board shall consist of the President or Deputy President, who shall be the presiding member, and an equal number not exceeding two of the episcopal and other members of the panel.

(3) Where possible, the Board shall include at least one man and at least one woman.

(3A)[26] A member of the panel must without delay disclose to the President, or if there is a vacancy in the office of President to the Deputy President, any conflict of interest that the member has in relation to a matter before the Board.

(4) [27] Where, in the opinion of the President or, if there is a vacancy in the office of the President, in the opinion of the Deputy President a member of the panel has a conflict of interest in relation to a matter before the Board the member shall be disqualified from participating in the reference.

(5) [28] For the purposes of this section a vacancy in the office of President includes a situation in which the President is not able to act because of a conflict of interest in relation to a matter, illness or absence from Australia.

24. (1) The Rules of the Board made under this Part may provide that, in relation to the exercise of specified functions, or in relation to matters of a specified class, the Board may, at the direction of the presiding member, be constituted by a single member sitting alone.

(2) The Board, if constituted by a single member sitting alone, cannot make a determination under section 49.

25. If a member of the Board, other than the presiding member, dies or is for any other reason unable to continue with any matter referred to the Board, the Board constituted of the presiding member and the other member or members may, if the presiding member so determines, continue and complete the reference.

26. The Board, separately constituted in accordance with this Part, may sit simultaneously for the purpose of matters referred to it or for conducting separate business of the Board.

27. An act or proceeding of the Board is not invalid by reason only of a vacancy in its membership or of the membership of the panel and, notwithstanding the subsequent discovery of a defect in the nomination or appointment of members of the panel or the Board, any such act or proceeding is as valid and effectual as if the member had been duly nominated or appointed.

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26 Added by Canon 11, 2022.
27 Amended by Canon 11, 2022.
28 Amended by Canon 11, 2022.

28. There shall be a Secretary to the Board who shall be appointed by or in accordance with a resolution of the Standing Committee, and whose duties shall be defined by the President.

29. (1) In any proceedings of the Board where the Board is constituted by two or more members:

(a) any question of law or procedure will be determined by the presiding member; and

(b) any other question will be determined by majority decision of the members, and in the case of an equality of votes the opinion of the presiding member shall prevail.

(2) Where the Board is constituted by a member sitting alone who is not the President or the Deputy President, any question of law that arises must be referred to the President or Deputy President for decision and any decision made on such a reference is a decision of the Board.

(3) The Board must act with fairness and according to equity, good conscience and the substantial merits of the case without regard to technicalities or legal forms and is not bound by the rules of evidence but may inform itself on any matter in such manner as it thinks fit.

(4) Without limiting the meaning and effect of sub-section (3), the Board may receive evidence of a witness in the form of an affidavit, statutory declaration or a signed statement without the need for the personal attendance of the witness, and may also use electronic means such as video link or conference telephone to receive evidence and submissions, but must permit the respondent and his representative (if any) opportunity to adequately cross- examine each witness

(5) [29] The Board may inform itself from the record of any court, tribunal or commission of inquiry and may adopt any findings, and accept as its own, the record of any court, tribunal or commission of inquiry.

30. The Board may, for the purpose of any particular reference and at the cost of the General Synod, appoint such person or persons, including the Director, to assist it in inquiring into (but not determining) that reference as the Board thinks fit.

31. The Board must give reasons for any determination, other than by way of directions in the course of an inquiry, unless the determination is made by consent of the respondent.

32. (1) The Board has no power to award costs of any proceedings before it.

(2) A bishop in relation to whom a question is the subject of a reference to the Board may apply to the Standing Committee for the provision of legal assistance.

(3) The Standing Committee may grant legal assistance to a bishop on such terms and subject to such conditions as it shall determine.

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[29] Amended by Canon 11, 2022.

33. (1) The President may make Rules of the Board reasonably required by or pursuant to this Canon and in relation to the practice and procedure of the Board.

(2) Subject to this Canon and the relevant Rules, the practice and procedure of the Board will be as directed by the presiding member of the Board.

PART 7 – REFERENCE OF MATTERS TO THE EPISCOPAL STANDARDS BOARD

34. A question shall be referred to the Board by delivering to the Secretary of the Board a written report of the investigation of the ESC signed by a member of the ESC.

35. The Board shall not, in the course of inquiring into any question:

(a) inquire into any matter which is or has been the subject of any formal investigation or enquiry conducted;

(i) under or pursuant to any provision of the Constitution; or

(ii) under or pursuant to a Canon of the General Synod or an Ordinance of a diocese relating to the discipline of clergy or Church workers by a board of enquiry, tribunal or other body;

but may take into account the finding of any such formal investigation or enquiry;

(b) inquire into, make any findings in relation to or take into account any alleged breach of:

(i) faith of the Church, including the obligation to hold the faith;

(ii) ritual of the Church, including the rites according to the use of the Church and the obligation to abide by such use; or

(iii) ceremonial of the Church, including ceremonial according to the use of the Church and the obligation to abide by such use.

36. (1) Upon delivery of the report to the Secretary of the Board, the President or Deputy President as the case may be shall as soon as possible determine the membership of the Board for the purpose of the reference.

(2) The President or Deputy President as the case may require shall thereupon cause to be convened a sitting for the purpose of giving directions.

(3) A person or body appearing or represented before the Board shall comply with the Rules of the Board and with any directions given by the Board.

37. Within 14 days of the date of the reference of a matter to the Board or within 14 days of the date of the document or material coming to existence, whichever is the later, the ESC shall cause to be delivered to the Secretary of the Board any documents and material relevant to the reference.

38. The ESC, as soon as practicable after delivering the report referred to in section 34 to the Secretary of the Board, shall cause a signed copy of the report to be delivered to the respondent.

39. The Board may at any time and from time to time give directions:

(a) as to the inspection by and supply of copies to the respondent or any other person of the documents or material relevant to the reference;

(b) as to the conduct of its inquiry into the reference.

40. The Board may at any time and from time to time give directions to the ESC as to any further inquiries or investigation it requires to be carried out for the purposes of the reference and the ESC shall to the best of its ability cause such directions to be carried out.

41. (1) The Board shall deal with any reference as expeditiously as possible.

(2) The Board may, if it sees fit, proceed with the determination of a reference notwithstanding that there may be mediation or conciliation proceedings relating to the subject matter of the reference being conducted by or at the direction of the ESC and notwithstanding that there may be criminal or other proceedings being taken against the respondent or some other person.

42. (1) The place and time of sitting of the Board comprising two or more members shall be as determined by the presiding member.

(2) The place and time of sitting of the Board comprising one member shall be as determined by that member.

43. (1) Subject to sub-section (2), the Board must give the following persons reasonable notice of the time and place of a sitting of the Board:

(a) the Director; and

(b) the respondent; and

(c) such other persons as the Board believes have a proper interest in the matter.

(2) The Board is not obliged to give notice of a sitting to a person whose whereabouts cannot, after reasonable enquiries, be ascertained.

44. In any proceedings before the Board:

(a) the ESC and any person may be represented by a legal practitioner or, with leave of the Board, by any other person;

(b) the ESC or its appointed representative shall do all in its power to assist the Board and shall carry out any directions of the Board;

(c) the Board:

(i) must give the ESC and the respondent a reasonable opportunity to call or give evidence, to examine or cross-examine witnesses and to make submissions to the Board; and

(ii) must give any other person to whom notice of the proceedings was given or who satisfies the Board that he or she has a proper interest in the matter a reasonable opportunity to make submissions to the Board.

45. (1) Subject to sub-section (2), a sitting of the Board on a reference before the Board is an open sitting.

(2) On any such sitting before the Board, the Board has an absolute discretion:

(a) to direct that no person other than:

(i) the respondent and any person representing him or her in the proceedings; and

(ii) witnesses or persons making submissions (while giving evidence or making those submissions); and

(iii) officers of the Board or persons assisting the Board; and

(iv) members of or persons appointed by the ESC; be present in the room while the Board is sitting; or

(b) to direct that a particular person (other than a person referred to in paragraph (a)) not be present in the room while the Board is sitting.

46. The Board may make a determination in any proceedings in the absence of a person affected by the determination if satisfied that reasonable efforts were made to give that person an opportunity to appear.

47. (1) The Board may require a respondent to submit within a specified time to a medical, psychiatric or psychological examination by a person approved by the Board the cost of which shall be met from funds under the control of the General Synod.

(2) A copy of the report of an examination under subsection (1) shall be provided to the respondent and to the Board.

48. In making any determination the Board shall take into account:

(a) the conduct of the bishop as it finds it to have been;

(b) in the material before the Board, any other fact or circumstance relevant to the determination of the question before it; and

(c) any failure of the bishop to comply with a provision of this Canon or with a direction of the Board.

49. (1) [30] Subject to sub-section (2), if after investigating the question referred to it about a bishop, the Board is satisfied that:

(a) the bishop should be counselled;

(b) the bishop's continuation in office should be subject to conditions or restrictions;

(c) the bishop is unfit, whether temporarily or permanently, to hold office; or

(d) the bishop is unfit to remain in Holy Orders;

the Board may determine accordingly and may:

(e) direct that the bishop be counselled;

(f) direct that the bishop's holding of office shall be subject to such conditions or restrictions as the Board may specify;

(g) direct that the bishop cease to carry out the duties and functions of his office from such time and for such period determined by the Board;

(h) direct that the bishop resign from the office, within such time as is specified by the Board;

(i) direct that the operation of a determination referred to in paragraphs (f) to (h) shall be suspended for such period and upon such conditions as the Board shall specify;

(j) direct that the bishop relinquish Holy Orders within such time as is specified by the Board;

(k) give such other direction as the Board sees fit;

(l) [31] determine that the bishop be prohibited, either temporarily or permanently, from functioning as a bishop or as a bishop and priest; or

(m) [32] determine the bishop be deposed from the exercise of Holy Orders.

(2) [33] Where the Board is satisfied that the bishop has been convicted by a court exercising criminal jurisdiction of committing while a member of the clergy a sexual offence relating to a child, the Board must determine that the bishop be deposed from the exercise of Holy Orders.

30 Amended by Canon 11, 2022.
31 Amended by Canon 11, 2022.
32 Amended by Canon 11, 2022.
33 Added by Canon 11, 2022.

50. The Board shall cause a copy of each determination and direction to be provided:

(a) to the Primate;

(b) to the relevant Metropolitan;

(c) to the respondent;

(d) to the relevant administrator;

(e) to the ESC;

(f) where appropriate, to any relevant complainant;

(g) in the case of a former Bishop, to the relevant diocesan bishop; and

shall cause relevant details to be forwarded for entry into the national register.

50A. The relevant Metropolitan and, where applicable, the relevant diocesan bishop, is authorised and must give effect to the determination of the board.

51. (1) The bishop shall comply with a direction of the Board.

(2) [deleted]

(3) The ESC may institute proceedings forthwith in the Tribunal in respect of an offence against this section or, if the bishop is no longer a Bishop, shall refer the matter, together with such relevant information concerning the alleged offence as may be in its possession, to the bishop of the diocese in which the bishop is then resident.

PART 8 – APPEAL

52. In this Part, unless the context otherwise requires

reviewable decision means a recommendation or determination of the Board other than by way of an interlocutory order;

Review Board means the Episcopal Standards Review Board constituted for the purposes of this Part.

53. [deleted]

54. A Bishop or the ESC, if aggrieved by a reviewable decision, may appeal by notice to the General Secretary.

55. (1) The Review Board will be constituted from the members of the panel referred to in section 20 and the members of the panel to be convened for an appeal to the Review Board will be determined by whichever of the President or the Deputy President was not a member of the Board which made the determination that is the subject of the appeal, as soon as possible after the appeal is notified to the President or Deputy President.

(2) For the purpose of an appeal, the Review Board shall consist of the President or Deputy President, who shall be the presiding member, and an equal number not exceeding two from the episcopal members and two from the other members of the panel who were not members of the Board which made the determination that is the subject of the appeal.

(3) Subsections (3) to (5) of section 23, subsection (1) of section 24, sections 25 to 27, 29 and 31 to 33, subsections (2) and (3) of section 36, and sections 41(1), 42, 45 and 46 apply to an appeal to the Review Board, as if the reference to the Board is a reference to the Review Board.

56. For a reviewable decision, the provisions of section 51 shall not apply until the time for lodging an appeal has passed, and no application has been lodged.

57. The making of an appeal acts as a stay of the reviewable decision pending determination by the Review Board.

58. For a reviewable decision, the Board shall not cause the relevant details to be forwarded for entry into the national register under section 50 until:

(a) the time for lodging an appeal has passed, and no notice of appeal has been lodged; or

(b) where an appeal has been heard and determined, the determination has been made.

59. If the Review Board on appeal confirms, varies or makes another determination in substitution for a reviewable decision, the Review Board must cause the details of the confirmed, varied or substituted determination to be forwarded to the General Secretary and the persons referred to in section 50 and the General Secretary shall cause relevant details to be forwarded for entry into the national register.

60. If a Review Board's determination refers a matter back to the Board, then the Board must:

(a) determine to take no further action in respect of the matter; or

(b) deal with the matter in accordance with Part VII of this Canon, in accordance with such directions or recommendations as the Review Board may make in the Review Board's determination; or

(c) deal with the matter in accordance with Part VII of this Canon applying such of the provisions of Part VII as, in the discretion of the Board and in accordance with the Review Board's determination, the Board sees fit.

61. An appeal against the reviewable decision must be made within 28 days of a copy of the Board's determination under section 50 being provided to the Bishop and the ESC. The notice of appeal must:

(a) be in writing addressed to the General Secretary; and

(b) set out the grounds for appeal in the application.

62. On receipt of an application for review[34], the General Secretary must immediately seek the appointment of a Review Board.

63. [deleted]

64. Unless otherwise specified in this Canon, the manner in which the appeal is to be conducted will be determined by the Review Board.

65. On an appeal of a reviewable decision, the Review Board may make all or any of the following determinations:

    (a) a determination quashing or setting aside the reviewable decision and making another determination in substitution for it;

    (b) a determination referring the matter to which the reviewable decision relates to the Board for further consideration, subject to such directions (including the setting of time limits for the further consideration, and for the steps to be taken in the further consideration) as the Review Board determines;

    (c) [deleted]

    (d) [deleted]

    (e) a determination confirming or varying the reviewable decision.

66. [deleted]

67. The appeal shall be by way of rehearing.

PART 9 – REGULATIONS

68. The Standing Committee may from time to time make, amend or repeal Regulations, not inconsistent with the provisions of this Canon, providing for records arising out of or incidental to the operation of this Canon, and for all or any of the purposes whether general or to meet particular cases, which may be convenient for the administration of this Canon or which may be necessary or expedient to carry out the objects and purposes of this Canon.

Coming into force by adoption

69.[35] The provisions of this Canon affect the order and good government of this Church within a diocese and do not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the diocese.

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[34] Consistent with other changes made to this Part, the reference to 'an application for review' should be read as 'a notice of appeal'.

[35] This was section 4 in the Episcopal Standards (Child Protection) Canon 2017 as passed.

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".

2.[1] 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.

3.[2] (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 submit a report under this section and include such comments or report as the Standing Committee considers appropriate.

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1 Section 2 amended by Canon 4, 2007.

2 Section 3 amended and new words added by Canon 4, 2007. Section 3 repealed and new section substituted by Canon 2, 2014.

4. An Organisation shall maintain such financial procedures and controls as are prescribed by the Standing Committee from time to time.

5.[3] 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.

6.[4] 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.

7.[5] 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.

9.[6] 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.

10.[7] 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.

11.[8] 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.

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3 Amended by Canon 2, 2014.
4 Amended by Canon 2, 2014.
5 Amended by Canon 2, 2014.
6 Amended by Canon 2, 2014.
7 Amended by Canon 2, 2014.
8 Amended by Canon 2, 2014.

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.

GENERAL SYNOD DIOCESAN BOUNDARY RATIFICATION CANON 1973

Canon 10, 1973

A canon to provide for the ratification of the surrender or alteration of the territory of a diocese.

Whereas the Constitution of the Church of England in Australia provides that any surrender or alteration of the territory of a diocese shall not take effect until ratified by or under a canon of General Synod.

And whereas it is desirable to provide a means of ratifying such a surrender or alteration between meetings of General Synod.

Now therefore the General Synod prescribes as follows:

1. The Standing Committee of General Synod (hereinafter referred to as "**the Committee**") is hereby empowered in pursuance of sub-section (3) of section 45 of the Constitution to ratify the surrender or alteration of the territory of a diocese in accordance with this canon.

2. Where the Committee has received in connection with a proposed surrender or alteration of the territory of a diocese, copies of the ordinances required under section 45 of the Constitution certified by the secretaries of the synods concerned, it may by resolution, ratify the surrender or alteration as from a date specified in the resolution.

3. This canon does not prevent -

    (a) the Committee from deciding in any case that the diocese concerned should bring the matter to General Synod by way of canon; or

    (b) a proposed surrender or alteration of the territory of a diocese or dioceses being dealt with directly by General Synod by way of canon.

4. This canon may be cited as "General Synod Diocesan Boundary Ratification Canon 1973".

GENERAL SYNOD PRESENCE CANON 2022

Canon 16, 2022 as amended by Canon 1, 2025

The General Synod prescribes as follows:

Title

1. This canon is the General Synod Presence Canon 2022.

Interpretation

2. In this canon **videoconference** means a form of electronic communication that enables contemporaneous audio and visual communication between persons physically located at different places.

Sessions of General Synod may be by videoconference

3. (1) The Standing Committee may by resolution determine that an ordinary session of Synod is to be held wholly by videoconference.

(2) The Primate may in convening a special session of Synod determine that it is to be held wholly by videoconference.

(3) A member of Synod may attend a session held wholly by videoconference while in the same place as another member of Synod.

Participation in General Synod by videoconference of members prevented from attending in person

4. (1) This section applies when—

(a) in the case of a clerical or lay representative of a Diocese, the Bishop of that diocese;

(b) in the case of a Bishop of a diocese who is not the Metropolitan, the Metropolitan of that Bishop;

(c) in the case of a Metropolitan or the Bishop of an extra-provincial diocese, the Primate—

certifies to the General Secretary that that representative or Bishop, by reason of the laws of, or lawful directions given under the laws of, the Commonwealth, a State or a Territory or by reason of their disability or serious medical condition[1]—

[1] Amended by Canon 1, 2025.

(d) is prevented from; or

(e) will face significant and onerous impediments in—
travelling to or from, or being at, the place at which a session of the General Synod is to be held.

(2) When this section applies—

(a) the General Secretary must make available to the person the subject of the certificate the opportunity to participate in the Synod by videoconference; and[2]

(b) the person the subject of the certificate may participate in the Synod by videoconference.

(3) A person the subject of a certificate under sub-section (1) may be present in person at the meeting of the Synod.

Videoconferencing requirements

5. (1) A member of Synod participating by videoconference must be allowed to participate as if present at a venue at which the President is chairing the meeting.

(2) At a meeting of the Synod in which members are participating by videoconference—

(a) the Primate may appoint such persons as considered necessary to assist in the chairing and orderly conduct of the meeting and the equal and full participation of members of Synod; and

(b) an electronic system approved by the Provisional Business Committee must be used for the purpose of allowing those members to vote on the business before the meeting, rise in their places, or otherwise communicate a position in relation to the business before the meeting as fully as those members who are present in person at that meeting.

Member participating by videoconference to be considered as present

6. (1) At a meeting of the Synod in which members are participating by videoconference a member who is participating by videoconference is present for the purposes of the Constitution and any canon or rule that makes provision for members who are present.

(2) For the purpose of determining the number of members present at any time during a meeting of the Synod in which members are participating by videoconference, the number of members present is the total number present in person and by videoconference.

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[2] Amended by Canon 1, 2025

HOLY COMMUNION CANON 2001[1]

Canon 10, 2001[2]

A canon concerning the Holy Communion or the Lord's Supper 1992 (-2001).

The General Synod prescribes as follows:

1. This canon may be cited as "The Holy Communion Canon 2001".

2. Wherever possible, in the church or one of the churches in every parish, the Holy Communion or the Lord's Supper should be celebrated sufficiently frequently and at appropriate times so as to provide reasonable opportunity for every parishioner to communicate regularly and frequently and at Easter.

3. Every minister when celebrating the Holy Communion or the Lord's Supper must receive the sacrament, normally first.

4. The sacrament must normally be offered separately in both kinds to every communicant.

5. The bread offered must be wholesome and the wine must be of good quality.

6. (1) If a minister who has the cure of souls believes that anyone who intends to partake of the Holy Communion or the Lord's Supper ought not to be admitted thereto by reason of malicious and open contention with another or other grave sin without repentance, the minister must:

   (a) inform the bishop of the diocese of the belief of that minister, and

   (b) not refuse to admit that person to the Holy Communion or the Lord's Supper unless directed by the bishop so to do,

   provided that in the case of grave and immediate scandal any ordained minister, in the discretion of that minister, may refuse to admit the person concerned pending receipt of a direction from the bishop. Before issuing a direction other than an interim direction or a direction that a person not be refused admission to the Holy Communion the bishop must afford that person an opportunity to be heard.

   (2) Should the bishop direct a minister under sub-section (1) not to admit a person to the Holy Communion, every other minister in the diocese should likewise refuse to admit that person to the Holy Communion unless and until the bishop otherwise directs.

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1 See Appendix B.

2 This canon was passed provisionally in its original form as Canon P4, 1992.

7. The canons numbered 20, 21, 22, 23, 26, 27 and 28 of the Canons of 1603, in so far as the same may have any force, have no operation or effect in a diocese which adopts this canon.

8. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the diocese.

HOLY ORDERS (RECEPTION INTO MINISTRY) CANON 2004[1]

Canon 17, 2007

The General Synod prescribes as follows:

Short title

1. This Canon may be cited as the Holy Orders (Reception into Ministry) Canon 2004.

Reception into ministry

2. (1) Subject to sub-section (2), where a person has been consecrated bishop or ordained priest or deacon in a Church which is not in communion with this Church by a bishop or bishops within the historic episcopate, the bishop of a diocese of this Church may receive that person into the ministry of this Church as bishop, priest or deacon, as the case may be.

(2) Before a bishop of a diocese receives a person into the ministry of this Church under this section, the bishop must first be satisfied by good and credible evidence–

(a) that the character and mode of living of the person as attested by witnesses specified by the bishop befit an ordained minister of this Church;

(b) that the attainments of the person in academic and theological studies are adequate for the person's proposed ministry in this Church;

(c) if the diocese is in a Province and the person is a bishop, a majority of the diocesan bishops of the Province have approved the proposed reception of the person into the ministry of this Church;

(d) if the diocese is not in a Province and the person is a bishop, a majority of the Metropolitans have approved the proposed reception of the person into the ministry of this Church;

(e) that the person's reasons for desiring to be received into the ministry of this Church are sound and proper;

(f) that the person -

(i) has a sufficient knowledge of the doctrine, discipline and forms of worship of this Church and has a sufficient understanding of the matters in which this Church differs from the Church in which the person was consecrated or ordained; and

(ii) accepts the doctrine, discipline and principles of worship of this Church.

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1 This Canon was provisionally made as Canon P1, 2004 and amended and passed in 2007.

Form of service

3. A person may be received into the Ministry of this Church in accordance with a form of service authorised by General Synod or prepared by the Liturgy Commission and approved by the Standing Committee of General Synod.

Authority to minister

4. A person received into the ministry of this Church under this Canon shall not exercise the ministry of bishop, priest or deacon in this Church unless pursuant to the Constitution and the ordinances of this Church and the ordinances of the relevant diocese and Province the person has been elected or appointed to an Episcopal office in this Church or is otherwise duly authorised by the bishop of a diocese to minister as a bishop, priest or deacon in that diocese.

Operation of Canon in diocese that has not adopted certain Canons

5. (1) Nothing in this Canon shall make it lawful for a woman ordained to the office of deacon in a Church not in communion with this Church to be received into the ministry of this Church as a deacon in a diocese in with the Ordination of Women to the Office of Deacon Canon 1985 is not in force.

(2) Nothing in this Canon shall make it lawful for a woman ordained to the office of priest or consecrated to the office of bishop in a Church not in communion with this Church to be received into the ministry of this Church as a priest or a bishop in a diocese in which the Law of the Church of England Clarification Canon 1992 is not in force.

Coming into force by adoption

6. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the diocese.

HOLY ORDERS (REMOVAL FROM EXERCISE OF MINISTRY) CANON 2017

Canon 18, 2017

A canon to repeal the Holy Orders, Relinquishment and Deposition Canon 2004 and to provide for the removal of ordained persons from exercise of ministry.

The General Synod prescribes as follows:

Title

1. This Canon is the Holy Orders (Removal from Exercise of Ministry) Canon 2017.

Interpretation

2. (1) In this Canon—

deposition means (without derogating from or altering the effect of section 11 of this Canon) removal of the right to the exercise of ministry in all of the Holy Orders to which a person is ordained, and "**depose**" has a similar meaning;

national register means a National Register established pursuant to a Canon of General Synod for a purpose which includes the recording of determinations of a tribunal or the recommendations or determinations of a professional standards body;

person in Holy Orders means a person who, in accordance with the Canons of the General Synod or the law of this Church applying at the relevant time has been—

(a) ordained to the order of bishop, priest or deacon by bishops, or a bishop, of this Church, or by bishops, or a bishop, of a Church in communion with this Church; or

(b) received into an order of ministry of this Church by a bishop of this Church in accordance with the Holy Orders (Reception and Ministry) Canon 2004;

professional standards body means a body established by a Canon of General Synod or the ordinance of a diocese relating to professional standards or episcopal standards that has under that Canon or that ordinance the power to recommend or determine that a person in Holy Orders be deposed;

relevant bishop means—

(a) in relation to a priest or deacon who is licensed, the Diocesan bishop of the diocese in which he or she is licensed or the Primate, or the Metropolitan of the Province in which that diocese is situated, authorized by that bishop to act in that behalf;

(b) in relation to a priest or deacon who is not licensed, the Diocesan bishop of the diocese in which he or she resides or the Primate, or the Metropolitan of the Province in which that diocese is situated, authorized by that bishop to act in that behalf;

(c) in relation to a person who is a bishop, the bishop other than that person who is—

(i) the Metropolitan of the Province in which that person is a Diocesan bishop, is licensed by a Diocesan bishop or (if neither a Diocesan bishop nor licensed) resides; or

(ii) where that person—
A. is the Diocesan bishop of; or
B. is licensed by the Diocesan bishop of; or
C. resides in—
an extra-provincial diocese, the Primate; or

(iii) where the person is a Metropolitan, the Primate; or

(iv) where the person is the Primate, the most senior Metropolitan by date of consecration;

relinquishment means (without derogating from or altering the effect of section 11 of this Canon) voluntary cessation of the right to the exercise of ministry in one or more of the orders of ministry to which a person is ordained, and "**relinquish**" has a similar meaning;

tribunal means a tribunal established in accordance with the provisions of Chapter IX of the Constitution and includes a body established by canon or by an ordinance of a diocese.

(2) For the purposes of this Canon, a person who, during any vacancy in the office of, or during the incapacity of, a Diocesan bishop or during that bishop's absence from the diocese for a period exceeding thirty days has been appointed by or under the constitution of that diocese to administer the affairs of the diocese, is to be taken to be the Diocesan bishop of that diocese.

(3) In this Canon a reference to an "**order of ministry**" is a reference to the Holy Order of bishop, the Holy Order of priest or the Holy Order of deacon.

Relinquishment of Holy Orders

3. (1) A person in Holy Orders—

(a) if a bishop, may relinquish the order of bishop, or the orders of bishop and priest, or the orders of bishop, priest and deacon; or

(b) if a priest but not a bishop, may relinquish the order of priest, or the orders of priest and deacon; or

(c) if a deacon but not a bishop or priest, may relinquish the order of deacon—

by–

(d) resigning all clerical licences and appointments held by that person as a person in the order or orders to be relinquished; and

(e) executing an instrument of relinquishment in or to the effect of the form in Schedule 1 endorsed with the consent, if given, of both—

(i) the bishop of the diocese in which the person last held a clerical licence or appointment, if that is a diocese other than the diocese in which the person resides; and

(ii) the relevant bishop.

(2) Before giving consent under sub-section (1)(e)(ii), the relevant bishop must be satisfied that the person is not currently the subject of any information, complaint or charge in this Church (including in any diocese) concerning his or her conduct or fitness to hold office.

Liturgical context

4. The relinquishment under section 3 may, with the consent of the person, be set in a liturgical context by the bishop.

Prohibition from functioning after sentence of a tribunal

5. (1) A sentence of prohibition from functioning—

(a) in relation to a bishop may concern only functioning—

(i) as a bishop, or

(ii) as a bishop and priest; or

(iii) as a bishop, priest and deacon;

(b) in relation to a priest, may concern only functioning as a priest or as a priest and deacon;

(c) may be limited or not limited by reference to place, office, role or function, time or circumstance;

(d) subject to sub-section (2), may be permanent, indefinite or for a period of time, and may be permanent, indefinite or for a period of time in different respects in relation to different functions or different limitations.

(2) A sentence of prohibition from functioning may not be permanent in respect of all the orders of ministry to which a person has been ordained.

Note: The proper sentence for a person who is to be prohibited permanently from all orders of ministry is deposition.

(3) A relevant bishop gives effect to a sentence of prohibition by a tribunal or a recommendation or determination of prohibition by a professional standards body by executing an instrument of prohibition in or to the effect of Schedule 2.

Deposition

6. The deposition of a person by a bishop pursuant to the sentence of a tribunal or following the recommendation or determination of a professional standards body shall be effected by the execution by the relevant bishop of an instrument of deposition in or to the effect of the form in Schedule 3.

Registration

7. (1) In this section–

"instrument" means–

(a) an instrument of relinquishment in accordance with section 3; or

(b) an instrument of deposition or prohibition from functioning executed pursuant to sections 5 or 6.

(2) Upon executing an instrument, the relevant bishop must forthwith–

(a) cause the instrument to be registered in the register of that bishop;

(b) deliver a copy of the instrument to the bishop of the diocese in or for which the person who is the subject of the instrument was ordained; and

(c) cause a copy of the instrument to be registered in the national register.

Giving notice of an instrument

8. (1) A bishop who executes an instrument under section 7 must give notice of that instrument and of the effect of that instrument in the form of Schedule 4 to the Primate, the General Secretary and such other persons as the bishop considers necessary.

(2) The bishop may include in or with the notice under subsection (1) a statement of any circumstances relevant to the relinquishment, prohibition or deposition.

(3) The General Secretary must as soon as reasonably practicable make available to the public the information contained in a notice executed under sub-section (1).

Effect of prohibition from functioning

9. (1) A prohibition from functioning has effect according to its terms.

(2) Where a person is prohibited from functioning in an order of ministry, that person—

(a) must not act in contravention of or inconsistently with that prohibition by—

(i) officiating or acting in any manner that is reserved to that order of ministry; or

(ii) accepting or holding any office in this Church capable of being held only by a person in that order of ministry;

(b) ceases to have any right, privilege or advantage attached to that order of ministry; and

(c) must not hold himself or herself out as being in that order of ministry.

Effect of relinquishment of fewer than all Holy Orders

10. A person who has relinquished one or more but not all orders of ministry in respect of any order of ministry relinquished—

(a) may not officiate or act in any manner that is reserved for that order or those orders;

(b) may not accept or hold any office in this Church capable of being held only by a person in that order or those orders;

(c) ceases to have any right, privilege or advantage attached to that order or those orders; and

(d) must not hold himself or herself out as being in that order or those orders.

Effect of relinquishment of all Holy Orders and of deposition

11. A person who has relinquished all Holy Orders or who has been deposed in accordance with this or another Canon or following the sentence of a tribunal or the recommendation or determination of a professional standards body—

(a) may not:

(i) officiate or act in any manner as a bishop, priest or deacon of this Church; or

(ii) accept or hold any office in this Church capable of being held only by a person in Holy Orders;

(b) ceases to have any right, privilege or advantage attached to the order of bishop, priest or deacon;

(c) must not hold himself or herself out to be a member of the clergy;

(d) may not hold an office in a diocese which may be held by a lay person without the consent of the bishop of the diocese; and

(e) shall be considered to be a lay person for the purposes of all laws, canons, rules, ordinances and regulations of the Church except for any provision enacted under Chapter IX of the Constitution.

Revocation

12. (1) A person who has relinquished one or more orders of ministry in accordance with this Canon may petition the Metropolitan of the Province in which he or she resides or, if the person resides in an extraprovincial diocese, the Primate, to issue a certificate of revocation of the instrument of relinquishment.

(2) The petition must include a statement of—

(a) the circumstances and reasons in and for which the petitioner executed the instrument of relinquishment;

(b) the nature of the work or employment upon or in which the petitioner has been engaged, and the place or places in which the petitioner has resided since executing the instrument of relinquishment; and

(c) the circumstances in which and the reasons for which the revocation is sought.

(3) The Metropolitan or the Primate, as the case requires, must confer with the bishop of the diocese in which the petitioner last held a clerical licence or appointment and the bishop of the diocese in which the person resides and may make such other enquiries as seem appropriate.

(4) The Metropolitan or the Primate, as the case requires, may by writing under seal certify that, for all purposes, the instrument of relinquishment ceases to have any force or effect.

(5) A certificate under sub-section (4) must be registered in—

(a) the register of the bishop of the diocese in which the instrument of relinquishment or the instrument of deposition was registered;

(b) the register of the Primate; and

(c) the national register—

and a copy of the certificate must be delivered to the bishop of the diocese in or for which the petitioner was ordained.

Effect of revocation

13. The provisions of sections 10 and 11 do not apply to a person whose relinquishment has been revoked in accordance with this Canon.

Offences under this Canon

14. (1) It is an offence for a person who has relinquished an order of ministry to hold out that the person continues to exercise that order, except for the purposes of any provision enacted under Chapter IX of the Constitution.

(2) It is an offence for a person who has been deposed to act contrary to section 11(c), except for the purposes of any provision enacted under Chapter IX of the Constitution.

Canon 76 of the Canons of 1603 to have no effect

15. The Canon numbered 76 of the Canons of 1603, insofar as it may have any force, shall have no operation or effect in a diocese of this Church which adopts this canon.

Repeal and consequential amendment

16. (1) The Holy Orders Relinquishment and Deposition Canon 2004 is repealed.

(2) In—

(a) section 17(3) of the Episcopal Standards Canon 2007; and

(b) section 23(3) of the Special Tribunal Canon 2007—

for "Holy Orders, Relinquishment and Deposition Canon 2004" substitute "Holy Orders (Removal from Exercise of Ministry) Canon 2017".

Coming into force by adoption

17. The provisions of this Canon affect the order and good government of this Church within a diocese and do not come into force in a diocese unless and until the diocese adopts this Canon by ordinance of the synod of the diocese.

SCHEDULES

SCHEDULE 1

VOLUNTARY RELINQUISHMENT OF ONE OR MORE ORDERS OF MINISTRY

KNOW ALL PERSONS BY THESE PRESENTS THAT I, ,
a person in Holy Orders in the Anglican Church of Australia (particulars of which are set out in the Schedule)

DECLARE that I have resigned the clerical licences and appointments and positions held by me as (*bishop, priest or deacon*) and **RELINQUISH** all rights and privileges as attached to the order/s of (*bishop, priest or deacon*) set out in the Schedule to this instrument in accordance with the Constitution and Canons of the Anglican Church of Australia and FURTHER DECLARE that I shall at all times from the date of this instrument conduct myself accordingly.

SCHEDULE

PARTICULARS OF HOLY ORDERS SUBJECT TO THIS DECLARATION

FULL NAME AND ADDRESS

	ORDAINING BISHOP(S)	PLACE	DATE
ORDINATION AS DEACON	……	……	…….
ORDINATION AS PRIEST	……	……	…….
CONSECRATION AS BISHOP	……	……	…….

DATED:
EXECUTED BY
in the presence of:
(Bishop or Archdeacon or legal practitioner)

CONSENT OF BISHOP OF DIOCESE IN WHICH DECLARANT LAST HELD A CLERICAL LICENCE OR APPOINTMENT

I, by Divine Providence Bishop (Archbishop) of
consent to the above relinquishment.

DATED:
EXECUTED BY: in the
presence of:

CONSENT OF BISHOP OF DIOCESE IN WHICH DECLARANT RESIDES:

I, by Divine Providence Bishop (Archbishop) of ……. declare that I am the relevant bishop for the purposes of the Holy Orders (Removal from Exercise of Ministry) Canon 2017 and consent to the above relinquishment.

DATED:
EXECUTED BY: in the
presence of:

SCHEDULE 2

PROHIBITION FROM FUNCTIONING FOLLOWING THE SENTENCE OF A TRIBUNAL

I, by Divine Providence Bishop (or Archbishop) of

To

GREETINGS

I declare that I am the relevant bishop for the purposes of the Holy Orders (Removal from Exercise of Ministry) Canon 2017 and I by these presents **prohibit you from functioning in the exercise of Holy Orders** in the Anglican Church of Australia (as set out in the Schedule) in accordance with the Constitution and Canons of the Anglican Church of Australia following the sentence of a duly constituted tribunal.

SCHEDULE

PARTICULARS OF HOLY ORDERS SUBJECT TO PROHIBITION

FULL NAME AND ADDRESS

	ORDAINING BISHOP(S)	PLACE	DATE
ORDINATION AS DEACON	……	……	…….
ORDINATION AS PRIEST	……	……	…….
CONSECRATION AS BISHOP	……	……	…….

PARTICULARS OF PROHIBITION FROM FUNCTIONING

DATED

SEALED

SCHEDULE 3

DEPOSITION

I, by Divine Providence Bishop (or Archbishop) of

To

GREETINGS
I declare that I am the relevant bishop for the purposes of the Holy Orders (Removal from Exercise of Ministry) Canon 2017 and by these presents **depose you** in accordance with the Constitution and Canons of the Anglican Church of Australia following the sentence of a duly constituted tribunal *or* following the recommendation or determination of a professional standards body [delete as applicable] from the Holy Orders set out in the Schedule.

SCHEDULE

PARTICULARS OF HOLY ORDERS

FULL NAME AND ADDRESS

	ORDAINING BISHOP(S)	PLACE	DATE
ORDINATION AS DEACON	……	……	…….
ORDINATION AS PRIEST	……	……	…….
CONSECRATION AS BISHOP	……	……	…….

DATED

SEALED

SCHEDULE 4

NOTICE OF AN INSTRUMENT UNDER THE HOLY ORDERS (REMOVAL FROM THE EXERCISE OF MINISTRY) CANON 2017

I, by Divine Providence Bishop (or Archbishop) of

GIVE NOTICE of the instrument dated …… that concerns …… [*name*] and that is now attached being

* an instrument of relinquishment

* a prohibition from functioning pursuant to the sentence of a tribunal

* an instrument of deposition.

**delete as applicable*

STATEMENT AS TO CIRCUMSTANCES

ATTACHMENT

DATED

INTERPRETATION CANON 1995

Canon 10, 1995

A canon concerning the Interpretation of Canons.

The General Synod prescribes as follows:

Short title

1. This canon may be cited as the "Interpretation Canon 1995".

Definition of canon

2. In this canon, except section 3, "**canon**" means canon, rule or resolution made by General Synod under Chapter V of the Constitution and includes the Standing Orders of General Synod.

Application to canons

3. Except so far as the contrary intention appears, this canon applies to -

   (a) this canon; and

   (b) all canons made by General Synod on or after 1 January 1996; and

   (c) all rules and resolutions made by General Synod under Chapter V of the Constitution made on or after that date; and

   (d) the Standing Orders of General Synod made on or after that date.

Definitions in section 74(1) and (2) of the Constitution

4. Except so far as the contrary intention appears, a word or expression that is defined in section 74(1) and (2) of the Constitution, has, when used in a canon, the same meaning in the canon as it has in the Constitution.

Effect of repeal of canon

5. (1) The repeal of a canon, or part of a canon, by which a previous canon or part of a canon was repealed does not have the effect of reviving the previous canon or part.

   (2) If a canon repeals in whole or in part a former canon, the repeal does not -

      (a) revive anything not in force or existing at the time at which the repeal takes effect; or

(b) affect the previous operation of a canon so repealed, or anything done or suffered under a canon so repealed; or

(c) affect a right, privilege, obligation or liability acquired or incurred under a canon so repealed; or

(d) affect any investigation, proceeding or remedy in respect of such a right, privilege, obligation or liability -

and any such investigation, proceeding or remedy may be instituted, continued or enforced as if the repealing canon had not been made.

References to amended or re-enacted canons

6. If a canon contains a reference to a short title that is or was provided by another canon for the citation of that other canon as originally made, or as amended, then, except so far as the contrary intention appears -

(a) the reference shall be construed as a reference to that other canon as originally made and as amended from time to time; and

(b) if that other canon has been repealed and re-made, with or without modifications, the reference shall be construed as including a reference to the re-made canon as originally made and as amended from time to time and, where, in connection with that reference, particular provisions of the repealed canon are referred to, being provisions to which provisions of the re-made canon correspond, the reference to those particular provisions shall be construed as including a reference to those corresponding provisions.

Parts of speech and grammatical forms

7. In a canon, unless the contrary intention appears, where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings.

Gender and number

8. In a canon, unless the contrary intention appears -

(a) words importing a gender include every other gender; and

(b) words in the singular number include the plural and words in the plural number include the singular.

References to month or time

9. (1) In a canon, unless the contrary intention appears -

"**month**" means a period commencing at the beginning of a day of one of the 12 months of the year and ending immediately before the beginning of the

corresponding day of the next month or, if there is no such corresponding day, ending at the expiration of the next month.

(2) Where, in a canon, any period of time, dating from a given day, act or event, is prescribed or allowed for any purpose, the time shall, unless the contrary intention appears, be reckoned exclusive of such day or of the day of such act or event.

(3) Where the last day of any period prescribed or allowed by a canon for the doing of anything falls on a Saturday, on a Sunday or on a day which is a public holiday or a bank holiday in the place in which the thing is to be or may be done, the thing may be done on the first day following which is not a Saturday, a Sunday or a public holiday or bank holiday in that place.

References to writing, documents and records

10. In a canon, unless the contrary intention appears -

"**document**" includes -

(a) any paper or other material on which there is writing; and

(b) any paper or other material on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them; and

(c) any article or material from which sounds, images or writings are capable of being reproduced with or without the aid of any other article or service;

"**record**" includes information stored or recorded by means of a computer;

"**writing**" includes any mode of representing or reproducing words, figures, drawings, or symbols in a visible form.

Construction of rules made under canons

11. If a canon confers power to make a rule or regulation, expressions used in a rule or regulation made in the exercise of that power, shall, unless the contrary intention appears, have the same respective meanings as they have in the canon conferring the power as amended and in force for the time being (or if not used in the canon, would have if so used).

Repeal of Rule XIX

12. (1) Rule XIX (Rule re Interpretation) is repealed.

(2) The repeal of Rule XIX does not affect its application to canons made before 1 January 1996.

LAW OF THE CHURCH OF ENGLAND CLARIFICATION CANON 1992

Canon 18, 1992[1]

A canon to clarify the operation of certain law of the Church of England applicable to and in force in the several dioceses of the Anglican Church of Australia.

Whereas this Synod desires -

(a) to maintain the unity in diversity of this Church;

(b) to acknowledge that there are differences of conviction about the ordination of women to the office of priest; and

(c) to clarify the extent to which certain law of the Church of England is applicable to and in force in certain dioceses of this Church.

The General Synod therefore prescribes as follows:

Title

1. This canon may be cited as the "Law of the Church of England Clarification Canon 1992".

Interpretation

2. In this canon -

"**diocese**" means a diocese of the Anglican Church of Australia;

"**ordinance**" has the meaning ascribed to it in section 74 of the Constitution.

The effect of certain English law in a diocese

3. (1) Upon the adoption by ordinance of this canon by a diocese -

(a) any law of the Church of England that, immediately before such adoption:

(i) was applicable to and in force in the diocese whether by virtue of a provision of the Constitution or otherwise; and

(ii) prevented the ordination of a woman to the office of priest;

ceases, to the extent only that it prevented the ordination of a woman to the office of priest, to be applicable to or in force in that diocese; and

[1] This canon was passed provisionally as Canon P1, 1992.

(b) a bishop when ordaining a person to the office of priest in a diocese, shall comply with any other conditions or restrictions with respect to ordination to the office of priest as are for the time being imposed by the law of this Church applicable to and in force in the diocese.

(2) In a diocese which does not adopt this canon nothing contained in this section shall affect the continued operation of any law of the Church of England applicable to and in force in that diocese which prevents the ordination of a woman to the office of priest.

Interpretation of "law of the Church of England"

4. In section 3 a reference to a law of the Church of England shall be read as including a reference to a rule relating to discipline, a principle, a practice or a tradition of the Church of England.

Removal of doubt

5. For the removal of any doubt:

(1) it is hereby declared that, subject to section 3(1)(b), the bishop of a diocese which adopts this canon may ordain any person to the office of priest; and

(2) nothing contained in this canon shall authorise the bishop of a diocese which does not adopt this canon to ordain a woman to the office of priest.

Canon affects dioceses

6. This canon affects the order and good government of the Church within a diocese and shall not come into force in a diocese unless and until the diocese, by ordinance, adopts it.

LITURGY PUBLISHING CANON 2001

Canon 5, 2001

A canon to provide for the publishing of liturgical texts and other material.

The General Synod prescribes as follows:

Part I - Introductory

Title

1. This Canon may be cited as the "Liturgy Publishing Canon 2001".

Definitions

2. Except in so far as the context or subject matter otherwise requires or indicates:

"**Committee**" means the Committee established and constituted in accordance with the provisions of this Canon;

"**Company**" means the Company formed by the Committee in accordance with the provisions of this Canon;

"**Liturgical Text**" means the text of any liturgy or liturgical material approved for use in this Church in accordance with its Constitution and Canons and such material prepared by the General Synod Liturgy Panel approved for trial use;

"**The Anglican Church of Australia Trust Corporatio**n" means the body corporate referred to in the Constitution;

"**Trust Deed**" means the deed of trust by which the Trust is established;

"**Trust**" means the trust settled on the Company in accordance with the provisions of this Canon;

"**Trustee**" means the Company; and

a reference to publishing or publication includes the production and reproduction of material by writing or printing or electronic means.

Part II - The Committee

The Committee

3. For the purposes of this Canon there shall be a committee called the Broughton Publishing Committee.

4. (i) The members of the Committee shall be members of this Church appointed by the Standing Committee for such term or terms and on such conditions as the Standing Committee may determine and shall hold office until their successors are appointed.

   (ii) However the office of a member shall become vacant when the member; notwithstanding subsection (i)

      (a) dies; or

      (b) resigns; or

      (c) is removed by resolution of the Standing Committee, or

      (d) is declared by the Standing Committee to have ceased to be a member of this Church.

5. It is the function of the Committee to facilitate, pursuant to the provisions of this canon, the publishing and distribution of material relating to the liturgical life and ministry of this Church and of any other material or document authorised by the Standing Committee.

6.[1] The Committee shall comprise such number of members and with such quorum as may be determined by the Standing Committee and subject to this Canon and any rules of procedure determined by the Standing Committee may:

   (a) regulate its procedures and meetings as it sees fit, and

   (b) act notwithstanding any vacancy in its membership.

Part III - The Trustee Company

The Trustee

7. The Committee shall cause a company to be created and registered under the provisions of the Corporations Law having the name "**Broughton Publishing Pty Ltd**", or such other name as is approved by the Standing Committee.

8. If the Company is a company having a share capital, the only member of the Company will be The Anglican Church of Australia Trust Corporation.

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[1] Subsections (a) and (b) were inadvertently omitted from all printed versions of this Canon.

9. The Constitution of the Company must first be approved by the Standing Committee and should include provisions which:

   (a) prohibit the transfer or allotment of shares without the consent of the Standing Committee;

   (b) prohibit the amendment of the Constitution without the consent of the Standing Committee;

   (c) require that the directors are the members of the Committee and that no other directors may be appointed otherwise than in accordance with the nomination of the Standing Committee;

   (d) ensure that the sole function of the Company is to act as the Trustee of a trust in accordance with the provisions of this Canon;

   (e) require that the directors must provide to the Standing Committee at its direction such account of its activities as the Standing Committee may reasonably require.

Part IV - The Trust

10. The Committee shall cause a trust to be settled on the Company as trustee pursuant to a Trust Deed which must be first approved by the Standing Committee and in respect of which this Church shall be the only beneficiary.

11. The Trust Deed must include provisions which:

   (a) empower the Trustee to carry on the business of the publication and sale of Liturgical Texts and of any other material or document authorised by the Standing Committee;

   (b) allow the Trustee to accumulate income to the extent authorised by the Standing Committee and otherwise require that the income shall be paid to the Standing Committee in accordance with its directions on behalf of the beneficiary;

   (c) require the Trustee to act only in accordance with business plans and budgets approved by the Standing Committee with such tolerance as may be approved by the Standing Committee;

   (d) empower the Standing Committee or the Primate to terminate the appointment of the Trustee and to appoint a new Trustee;

   (e) prevent amendment of the Trust Deed without consent of the Standing Committee;

   (f) otherwise restrict the activities of the Trustee to those approved by the Standing Committee;

(g) require the Trustee to account to the Standing Committee at such times and in such manner as it shall reasonably require;

(h) require the Trustee to terminate the Trust and to pay the capital and accrued income thereof to the Standing Committee on behalf of the beneficiary at the direction of the Standing Committee.

LONG SERVICE LEAVE CANON 2010

Canon 7, 2010[1] as amended by
Canon 13, 2017[2]
Canon 14, 2017
Canon 5, 2022
Canon 12, 2026

The General Synod prescribes as follows:

Title

1. This canon may be called the "Long Service Leave Canon 2010".

Commencement

2. (1) This Canon comes into operation on the first day of January next following the receipt by the General Secretary of General Synod of notices that it has been assented to by Ordinance of each of the dioceses that are participating dioceses under the Long Service Leave Canon 1992-1995 (the "**Former Canon**") (in this Canon called "**the date of commencement**").

(2) When the General Secretary of General Synod has received the necessary notices of assent for the purpose of sub-section (1), the General Secretary of General Synod shall notify as soon as possible each diocese of the date of commencement.

The Board

3. The Long Service Leave Board established by the Former Canon continues in existence under and subject to this Canon and the Schedule to this Canon.

The Fund

4. The Long Service Leave Fund maintained under the Former Canon continues in existence under and subject to this Canon and is in this Canon called "**the Fund**".

Repeal

5. The Former Canon, the Long Service Leave (Amendment) Canon 2001 and the Long Service Leave Canon 2007 are repealed except that (save as provided in this Canon expressly or by necessary implication) all persons things and circumstances appointed or created by or under the Long Service Leave Canon 1966-1987 ("the Initial Canon") or the Former Canon or existing or continuing under them immediately before the date of commencement under and subject to this Canon and the Schedule continue to have the

1 Canon 7, 2010 came into effect on 1 January 2015.
2 Canon 13, 2017 came into effect on 2 October 2017.

same status operation and effect as they respectively would have had if the Initial Canon and the Former Canon had not been so repealed.

Entitlements

6. The provisions of the Long Service Leave scheme are prescribed in the Schedule.

Amendments to Schedule

7.[3] (1) The Standing Committee of General Synod

(a) may make regulations relating to the general operation of this Canon;

(b) may, with the consent of all five metropolitans and the Primate (if not a metropolitan), make such regulations amending the Schedule as the Standing Committee considers necessary for the purpose of ensuring that its provisions are consistent with legislation enacted by the Commonwealth, a State or Territory and applicable to the subject matter of this Canon and the Schedule; and

(c) may, with the consent of all five metropolitans and the Primate (if not a metropolitan), make regulations amending parts V to VIII of the Schedule.

(2) Regulations made under subsection (1)(c) must first have been provided to participating dioceses and organisations for a period of at least 45 days with the opportunity to comment during that time.

(3) A regulation made under sub-section (1)(b) or under sub-section (1)(c)—

(a) must be tabled at the next ordinary session of General Synod; and

(b) continues to operate unless disallowed by a decision of that ordinary session.

(4) The disallowance of a regulation under subsection (3) does not invalidate or affect anything done or contracted to be done under that regulation before it was disallowed.

8.[4] Any amendments to the Schedule shall be advised to the participating dioceses and organisations within 30 days of the agreement in clause 7.

Financial Protection Canon

9. The Corporation referred to in the Schedule is declared to be an Organisation to which the Financial Protection Canon 1995 applies.

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3 Amended by Canon 12, 2026.
4 Amended by Canon 12, 2026.

SCHEDULE

PART I: INTRODUCTORY

Purpose

1A.[5] The Fund exists to provide Participating Dioceses and Participating Organisations assured funding of portable long service leave for their clergy and other eligible churchworkers.

Definitions

1. (1) Under this Schedule or in any regulation made pursuant to the provisions of this Schedule except in so far as the context or subject matter otherwise requires or indicates-

Board means the Long Service Leave Board constituted under Part II of this Schedule;

Church means the Anglican Church of Australia;

Commencement Date means the date of commencement of the Long Service Leave Canon 2010;

Corporation means the company limited by guarantee incorporated under the law of Victoria under the name Anglican Long Service Leave Fund Limited;

[6]**Elected Board Member** means a Board member holding a position referred to in section 3(2)(a), (b) or (c);

Eligible Charity means an institution, fund or trust established and maintained for the advancement of religion or other public charitable purposes the income of which is exempt from income tax in Australia;

Former Canon means the Long Service Leave Canon 1992 -1995;

Fund Year means a period of 12 months ending on the 31st day of December, or on such other date as the Board may determine, and includes, if the Board determines another date, such period more or less than 12 months as the Board determines;

Initial Canon means the Long Service Leave Canon 1966-1987;

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5 Added by Canon 12, 2026.
6 Added by Canon 12, 2026.

Member of the Clergy means –

(i) a bishop of a diocese;

(ii)[7] a person in holy orders holding a licence of the bishop of a diocese;

[8]***

(iv) a person in holy orders on missionary service;

(v) for the purposes of this Schedule, in relation to a diocese the synod of which so resolves, a person licensed by the bishop of the diocese to exercise the office of deaconess in that diocese; or

(vi) the Bishop to the Defence Force and Defence Force chaplains in holy orders;

Notional Stipend means notional annual stipend within the meaning of section 41;

Ordinary Stipend in relation to a participant means stipend or salary at the rate paid to the participant immediately preceding the date on which the participant enters or is deemed to enter upon long service leave;

Parish includes any parochial district, or similar pastoral division constituted by or under ordinance of the synod of a diocese;

Participant means-

(i) a member of the clergy in receipt of an ordinary stipend; or

(ii) a person employed by a participating diocese or participating organisation who:

(a) with the consent of the Board is nominated as a participant by the participating diocese or participating organisation; or

(b) is a member of a class of people defined with the consent of the Board as a participant by the participating diocese or participating organisation;

for the purposes of this Schedule;

7 Amended by Canon 12, 2026.
8 Paragraph (iii) omitted by Canon 12, 2026.

Participating Diocese means –

(i) a diocese of the Church which was a participating diocese for the purposes of the Initial Canon or the Former Canon; and

(ii) a diocese of the Church admitted under Part V of this Schedule to be a participating diocese;

Participating Organisation means –

(i) an organisation which was a participating organisation for the purposes of the Initial Canon or the Former Canon; and

(ii) an organisation admitted under Part V of this Schedule to be a participating organisation;

Proper Officer in relation to a participating organisation, means the person particulars of whose office, name and address are furnished to the Board by the participating organisation as those of the proper officer for the time being of the organisation for the purposes of this Schedule;

Qualifying Service means qualifying service within the meaning of section 34;

Quarter[9] means a period of three months ending on the last day of March, June, September or December;

Revised Entitlement Date[10] means the last day of the quarter in which the *Long Service Leave (Revision of Entitlement) Canon 2017* comes into force;

Sabbatical Allowance[11] means an allowance paid to a participant to assist with the cost of taking leave or otherwise payable as set out in this Schedule;

Service means paid service in a full time or part time capacity as a participant;

(i) in a diocese of the Church or in a diocese which was formerly part of the Church;

(ii) as a missionary being service which the Board with the approval of the Standing Committee prescribes either generally or in a particular case to be or to have been missionary service; or

(iii) as an employee of a participating organization and includes any period during such service of annual holiday leave or of furlough and any period of long service leave under the Initial Canon and/or Former Canon or this Schedule, and "serve" and "serving" have corresponding meanings; and

9 Added by Canon 13, 2017 which came into effect on 2 October 2017.
10 Added by Canon 13, 2017 which came into effect on 2 October 2017.
11 Amended by Canon 5, 2022 which came into effect on 11 May 2022.

Standing Committee means the Standing Committee of General Synod.

Terminal Medical Condition[12] means an illness suffered by the participant or an injury to the participant that is likely to result in the participant's death within 24 months of the date of certification by two registered medical practitioners who certify, jointly or separately, to that effect, where at least one of the registered medical practitioners is a specialist practising in an area related to the participant's illness or injury and the certification period has not ended for each of the certificates.

(2) Except in so far as the context or subject matter otherwise requires or indicates, words importing the singular number include the plural number and vice versa and words importing the masculine gender import the feminine and except for the word "**deaconess**", words importing the feminine gender import the masculine.

(3) Headings of parts of this Schedule are deemed to be part of this Schedule but the headings to sections and any footnotes are not.

PART II: THE BOARD

The Board

2. For the purposes of this Schedule there is a Board called the Long Service Leave Board.

Membership

3.[13] (1) A person who—

(a) has been declared by any competent court incapable of managing their affairs;

(b) is an undischarged bankrupt;

(c) is or has been in the preceding 12 months disqualified from managing corporations under the *Corporations Act 2001* (Cth); or

(d) is or has been in the preceding 12 months suspended or removed from being a responsible entity of a registered entity under the *Australian Charities and Not-for-profits Commission Act 2012* (Cth)—

may not be become or remain a member of the Board.

12 Added by Canon 5, 2022 which came into effect on 11 May 2022.
13 Subsections 3(1) and (2) Amended by Canon 12, 2026.

(2) The Board comprises—

(a) 1 member of the House of Bishops;

(b) 2 members who are in Holy Orders and are eligible to be clerical representatives of a diocese under section 17(5) of the Constitution;

(c) 4 members who are eligible to be lay representatives of a diocese under section 17(6) of the Constitution; and

(d) up to 2 members appointed by the Board for a term of up to 3 years.

(2A)[14] A member of the Board referred to in paragraphs (a), (b) or (c) of subsection (2) must be elected at an Ordinary Session of General Synod by the House of which that person is a member or is eligible to be a member.

[15]***

(5) The members elected by the House of Clergy, and the members elected by the House of Laity, respectively, shall determine among themselves which member elected by the House of Clergy and which 2 members elected by the House of Laity paragraph 3(4)(a) shall apply to and, failing determination within 1 month after the date of commencement, the General Secretary of General Synod shall make the determination by lot.

(6) Subject to sub-section 3(4):

(a) a member of the Board elected by the House of Bishops holds office until the ordinary meeting of General Synod next following the election of the member; and

(b) a member of the Board elected by the House of Clergy or House of Laity holds office until the second ordinary session of General Synod next following the election of the member.

(7) A member of the Board is eligible for re-election.

Vacancies

4. (1) A member of the Board ceases to hold office if the member –

(a) resigns;

(b) dies;

(c)[16] becomes ineligible to remain a member under section 3(1);

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14 Sub section (2A) added by Canon 12, 2026.
15 Sub sections 3 and 4 of section 3 repealed by Canon 12, 2026.
16 Amended by Canon 12, 2026.

(ca)[17] if elected under section 3(2)(a) or 3(2)(b), ceases to be in holy orders;

(d) fails to attend three successive meetings of the Board without leave of the Board; or

(e) is removed by resolution of the Standing Committee.

(2)[18] The Standing Committee by resolution may at any time –

(a) remove an elected Board member from office; or

(b) fill a vacancy which occurs in an office of elected Board member.

(3) If a vacancy is filled by the Standing Committee under sub -section (2) the office of a member of the House of Bishops must be filled by a member of the House of Bishops, the office of a member of the House of Clergy must be filled by a member of the House of Clergy and the office of a lay member must be filled by a lay member of this Church.

(4) A vacancy or the omission to fill a vacancy does not affect the acts or authority of the Board.

(5)[19] A person appointed to fill a vacancy under this section holds office for the balance of the term of the person being replaced.

Chair

5. (1) The Board at its first meeting after each General Synod must elect from among its members a person to occupy the chair.

(2)[20] In the absence of that person from a meeting of the Board the members present must elect from among themselves some other person to occupy the chair for that meeting.

Quorum

6. The quorum for a meeting of the Board is 5 members.

Functions

7. The functions of the Board are the management and control of the Fund and any other functions which this Canon or the regulations require to be performed, and does not vest in some other body or person.

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17 Added by Canon 12, 2026.
18 Amended by Canon 12, 2026.
19 Amended by Canon 12, 2026.
20 Amended by Canon 12, 2026.

Powers

8. (1) The Board in performance of the functions vested in it by this Schedule has such powers as –

(a) are necessarily incidental to or convenient for the due performance of those duties; or

(b) are expressly vested in the Board by this Schedule.

(2) The Board may employ as agents and pay –

(a)[21] any accountant, actuary, banker, barrister, solicitor, computer systems analyst, estate agent, financial adviser, fund manager, insurance broker, stockbroker, tax agent or other professional person; or

(b) any suitably qualified organisation;

to perform any function of the Board under the Long Service Leave Canon 2010 and this Schedule.

Rules and Regulations

9. (1)[22] Subject to Part IV of this Schedule the powers of the Board include the power by resolution of the Board to make rules and regulations not inconsistent with this Schedule and necessary or convenient to be made for giving effect to this Schedule.

(2) Upon making a rule or regulation the Board must cause notice of its terms to be given to the Standing Committee, to the Registrar of every participating diocese and to the proper officer of every participating organisation.

(3) On the first day of the first Ordinary Session of General Synod after the making of a rule or regulation a copy of the rule or regulation must be laid before the Synod and it is lawful for the Synod at that session to disallow it, but disallowance by Synod does not invalidate or affect anything done or contracted to be done under a rule or regulation before its disallowance.

(4) The Standing Committee may disallow a rule or regulation made by the Board at the first meeting of the Standing Committee after notice is given under sub-section (2) but the disallowance does not in validate or affect anything done or contracted to be done under a rule or regulation before its disallowance.

(5) Upon disallowance by General Synod or the Standing Committee of a rule or regulation made under this Schedule the Standing Committee must cause notice of the disallowance to be given to the Board, to the Registrar of every participating diocese and to the proper officer of every participating organisation.

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21 Amended by Canon 12, 2026.

22 Amended by Canon 12, 2026.

(6) Where a rule or resolution is disallowed, any other rules or resolutions made by the Board have effect as if the disallowed rule or resolution had never been made.

Actuarial Advice

10. No power or duty of the Board which entails actuarial knowledge, calculation or judgment may be exercised without obtaining and considering the advice of the Actuary.

Discretions

11. Subject only to this Schedule, the Board in exercise of the authorities, powers and discretions vested in it under this Schedule has an absolute discretion and –

(a) may exercise all or any of its powers, authorities and discretions from time to time; or

(b) (except so far as it may be necessary to give effect to any legal or enforceable rights of any person) may refrain from exercising all or any of its authorities, powers and discretions from time to time or at all.

Declaration of Interest

12. (1)[23] A member of the Board who—

(a) is or becomes in any way, whether directly or indirectly, interested in a contract or proposed contract with the Corporation; or

(b) holds an office or possesses property whereby whether directly or indirectly duties or interests might be created in conflict with that member's duties as a member of the Board—

must as soon as practicable after the relevant facts have come to that member's knowledge declare the facts nature and extent of the interest or conflict at a meeting of the Board.

(2) That member must not for so long as the interest exists or the conflict is possible vote on any resolution of the Board touching that contract or property or office without the consent of all of the other members of the Board present.

(3) The requirements of the preceding paragraphs or sub-sections of this section do not apply in any case where the interest consists only of –

(a) an interest in a contract or proposed contract with the Corporation if the interest of the member of the Board may properly be regarded as not being a material interest;

(b) that member's interest as a participant; or

[23] Amended by Canon 12, 2026.

(c) being an honorary office holder in an organisation or corporation with which the Corporation contracts.

Indemnity

13. (1) A person is entitled to be indemnified out of the Fund for any personal liability incurred by that person while acting within the authority conferred by this Schedule upon him or her as a member of the Board or officer or other appointee of the Board unless the personal liability is occasioned by that person's own dishonesty or by his or her wilfully and knowingly being a party to an act resulting in the personal liability.

(2) In relation to a person mentioned in sub -section 13 (1) the expression "**personal liability**" means liability for –

(a) any of his or her acts, receipts, neglect or default or those of any other Board member, officer or other appointee of the Board;

(b) involuntary loss or misapplication of the Fund or of any entitlement payable from the Fund;

(c) any loss which results from the insufficiency of any security or from any investment made by the Board in good faith; or

(d) any loss brought about by a person or organisation employed under section 8 to perform a function of the Board in performing that function.

Money

14. (1) The Board must collect, and pay promptly into a bank, in the name of the Fund, all money paid to the Fund.

(2)[24] The Fund must be applied by the Board in accordance with this Schedule but the expenses of the Board and of the management of the Fund are a first charge on the Fund.

(3) A member of the Board or officer or other person appointed by the Board is entitled to be reimbursed or to have paid or discharged out of the Fund all expenses properly incurred in the performance of the duties of his or her office.

Financial Statements and Audit

15. The Board must –

(a) keep account of all money received by and disbursed from the Fund and all dealings in connection with that money;

[24] Amended by Canon 12, 2026.

(b) keep appropriate records and accounts in proper order, and make suitable arrangements for their custody and for custody of documents relating to the investments;

(c) prepare or have prepared as soon as practicable after the end of each Fund Year financial statements consisting of a balance sheet as at the end of the Fund Year and a statement of income and expenditure for that Fund Year;

(d) have the financial statements of the Fund audited by an auditor appointed by the Board; and

(e) require a report to be given to the Board by the auditor in respect of each such audit.

Reporting

16. (1) The Board must once at least in every year have copies of the audited financial statements together with a short report of the Fund's operations for the year provided to –

(a) the Standing Committee;

(b) the Bishop and Registrar of every participating diocese; and

(c) the proper officer of every participating organisation.

(2) A report of the proceedings of the Board since the previous Ordinary Session of General Synod together with a copy of all financial statements and reports under sub-section 16(1) made since that Session must be laid before each Ordinary Session of General Synod.

Limit of Payment

17. Notwithstanding anything in this Schedule the Board is not bound to make any payment except out of funds held by it for the purposes of this Schedule.

Insufficient Funds

18.[25] In the event of an assessment by the Board's Actuary or the Board's investment adviser that the current financial position of the funds held by the Board is such that meeting all current payments in full will adversely affect either the stability or value of the remaining funds to the significant detriment of other participants in the fund:

(a) the Board may delay payments or make such payments that it considers prudent in the circumstances; and

(b) the Board must give notice under 9(2) of the rule, regulation or motion of the Board giving effect to any decision made under 18(a); and

(c) the process of review and disallowance provided for under 9(3) to 9(6) applies.

[25] Amended by Canon 12, 2026.

PART III: THE CORPORATION

Appointment

19. So far as the Corporations Act 2001 permits, the Board of the Fund must procure at all times that under the Memorandum and Articles of Association of the Corporation –

(a) there must be not less than 5 members of the Corporation;

(b) except as provided in paragraph 19(a) the number of members of the Corporation always equals the number of members of the Board of the Fund;

(c) the members of the Corporation are those persons who from time to time are the members of the Board of the Fund and have consented to be members of the Corporation;

(d) only persons who are members of the Corporation are eligible to be directors of the Corporation and all members of the Corporation are directors of the Corporation; and

(e) a person who ceases to be a member of the Board of the Fund ceases to be a member of the Corporation.

Removal of Members

20. So far as the Corporations Act 2001 permits, the Board of the Fund must procure at all times that under the Memorandum and Articles of Association of the Corporation a member of the Corporation who –

(a) is continuously absent from the Commonwealth of Australia for more than 3 months without the consent of the remaining members of the Corporation;

(aa)[26] dies;

(b) resigns;

(c) fails to attend 3 successive meetings of the Directors of the Corporation without leave of the Board of the Corporation;

(d)[27] becomes and remains an undischarged bankrupt;

(e) in the opinion of the remaining members of the Corporation or a majority of them otherwise becomes incapable or unworthy of acting; may be removed from office by the remaining members of the Corporation at a meeting of which 14 days' notice has been given to that member wherever resident and to all other members of the Corporation for the time being in the Commonwealth of Australia.

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26 Added by Canon 12, 2026.

27 Amended by Canon 12, 2026.

Powers of Investment and Borrowing

21. (1) The Corporation acting upon the direction of the Board of the Fund has power –

(a) to invest the assets of the Fund;

(b) to vary or realise those investments; and

(c) to underwrite or sub-underwrite the issue of any investments authorised under this Schedule.

(2) The Corporation acting upon the direction of the Board of the Fund has power from time to time to borrow, or maintain an existing borrowing of money, whether by way of a secured or unsecured loan with a bank or other institution.

Duty of Investment

22. Subject to –

(a) the direction of the Board of the Fund; or

(b) the direction (if any) of –

(i) General Synod; or

(ii) the Standing Committee;

the Corporation must invest such part or the whole of the Fund in such names in such manner and subject to such conditions as the Board of the Fund in its sole discretion determines.

PART IV: THE ACTUARY

Appointment

23. The Board must appoint an Actuary with appropriate qualifications and experience.

24.[28] The Actuary holds office for a term of 3 years or such lesser period as is specified by the Board but is eligible for re-appointment.

Actuarial Responsibilities

25. (1) The Board must cause actuarial investigations of the affairs of the Fund to be made at such intervals not exceeding 3 years as may be decided by the Board.

(2) An actuarial report must be given to the Board in relation to each investigation referred to in sub-section 25(1).

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[28] Amended by Canon 12, 2026.

(3) Arising from an actuarial investigation the Board may make, alter or rescind rules or regulations under section 9 relating to benefits payable to participants.

(4) The Actuary must give advice to the Board upon the request of the Board and may give advice at other times.

PART V: CONTRIBUTIONS

Additional Participating Dioceses

26. Where the synod of a diocese which is not then a participating diocese adopts this Schedule, the Board may admit the diocese to be a participating diocese upon such terms and conditions (including terms as to retrospectivity) as the Board with the advice of the Actuary may determine.

Participating Organisation

27. (1)[29] An organisation which engages 1 or more members of the clergy and agrees to the terms and conditions of participation (including terms as to retrospectivity) in the scheme of this Schedule, upon application to and approval by the Board, becomes a participating organisation.

(1A)[30] On receiving an application from an organisation to become a participating organisation under sub-section (1), the Board must notify, and consider any advice relevant to the responsibilities of the Board under that sub-section from, the bishop of each diocese in which a member of the clergy who is engaged by the organisation is licensed or resides and the bishop of any other diocese in which the organisation is expected to function.

(2) A participating organisation may make contributions to the Fund on the account of any participant. Contributions must be of the amount and made at the times which would be appropriate if that participant were rendering qualifying service in a participating diocese.

Amount of Contributions

28. Subject to any direction of the General Synod or of the Standing Committee the rate of annual contribution for the purpose of this Schedule –

(a) must be set by the Board; and

(b) applies from the following first day of January.

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29 Amended by Canon 12, 2026.

30 Added by Canon 14, 2017 which came into effect on 6 September 2017.

Responsibility for Contributions

29. (1) This section applies to a parish institution or organisation (not being a participating organisation) in a participating diocese which is responsible for the payment of the stipend or salary of any participant rendering qualifying service in that diocese, unless the diocese determines to the contrary.

(2) Where this section applies the parish institution or organisation must pay to the proper officer of the diocese in respect of each day during which it is responsible for the payment of the stipend or salary of the participant an amount equal to a 365th part of the annual contribution fixed under section 28.

Payment of Contributions to Diocese

30. Each amount payable to a diocese under section 29 is payable at such times and in such manner as the diocese prescribes.

Payment of Contributions to the Fund

31. (1)[31] Unless some other agreement between the Fund and a participating diocese or participating organisation is in place, each participating diocese or participating organisation must pay a contribution to the Fund within 14 days of the last day of the months of March, June, September and December in each year in respect of each participant receiving stipend or salary as a member of that diocese or organisation who has rendered qualifying service in that diocese or organisation during the whole or any part of the quarter ending on that day. The contribution must be so much of the annual contribution fixed under section 28 of this Schedule as is apportionable to the number of completed days of the member's qualifying service so rendered during the quarter.

(2) In the event of payments not being made within the time limit in sub –section 31(1) interest on the late payment calculated on a daily basis at a rate set by the Board from time to time may be charged at the discretion of the Board.

PART VI: ENTITLEMENTS

General

32.[32] (1) Subject to this scheme every participant serving in a participating diocese or with a participating organisation is entitled to long service leave on his or her ordinary stipend or salary.

(2)[33] The participating diocese or participating organisation with which the participant is currently serving in a paid capacity is responsible for the long service leave entitlements of the participant and for making an application to the Fund for moneys held by the Fund equivalent to the service of the participant less any service that has been previously paid.

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31 Amended by Canon 12, 2026.
32 Amended by Canon 12, 2026.
33 Added by Canon 12, 2026.

Amount of Long Service Leave

33. (1)[34] The amount of Long Service leave entitlement for a participant is—

(a) on completion of 10 years of qualifying service, an amount of long service leave calculated:

(i) at the rate of 1 week for each year of qualifying service in respect of each period of qualifying service prior to the Commencement Date; and

(ii) at the rate of 1.3 weeks for each year of qualifying service in respect of each period of qualifying service from and after the Commencement Date until and including the Revised Entitlement Date; and

(iii) at the rate of 1 week for each year of qualifying service in respect of each period of qualifying service after the Revised Entitlement Date;

(b) subject to sub-clause 35(2), for each subsequent period of qualifying service, an amount of long service leave calculated:

(i) at the rate of 1 week for each year of qualifying service in respect of each period of qualifying service prior to the Commencement Date; and

(ii)[35] at the rate of 1.3 weeks for each year of qualifying service in respect of each period of qualifying service from and after the Commencement Date until and including the Revised Entitlement Date; and

(iii)[36] at the rate of one week for each year of qualifying service in respect of each period of qualifying service after the Revised Entitlement Date;

(c) on completion of a period of qualifying service fixed by the Board under sub-section (3), a period of leave fixed by the Board under sub–section (3).

(2)[37] Sub-section (3) applies—

(a) where in the opinion of the Board:

(i) the relevant circumstances of a participant are abnormal; and

(ii) it would be to the disadvantage of the participant for subsection (3) not to apply; or

(b) where legislation in the relevant jurisdiction provides for a qualifying period of less than 10 years.

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34 Added by Canon 13, 2017 which came into effect on 2 October 2017 and amended by Canon 12, 2026.
35 Added by Canon 13, 2017 which came into effect on 2 October 2017.
36 Added by Canon 13, 2017 which came into effect on 2 October 2017.
37 Amended by Canon 12, 2026.

(3) Where this sub-section applies the Board may fix –

(a)[38] a period of qualifying service of less than 10 years where the participant has not completed 10 years qualifying service; and

(b) a period of long service leave to which the participant is entitled upon completion of the period fixed under paragraph 33(3)(a).

(4) Where long service leave has been taken by a participant the participant's long service leave entitlement is reduced accordingly.

[39]***

Qualifying Service

34. (1) Qualifying service means –

(a) service at any time whether before or after Parts II and III of the Initial Canon came into force –

(i) in a diocese the synod of which resolved before or within 12 months after the coming into force of those Parts that the diocese participate in the scheme of the Initial Canon; and

(ii) in that part of the Diocese of Carpentaria which became the Diocese of the Northern Territory by virtue of the Diocese of the Northern Territory Formation Canon of 1966;

(b) service at any time after Parts II and III of the Initial Canon came into force-

(i) in any other diocese after that diocese has become a participating diocese; or

(ii) in a participating organisation after that organisation has become a participating organisation.

(2) Notwithstanding any other provisions of this Schedule, in calculating the length of qualifying service of any participant the following must not be taken into account –

(a) any excess over 15 years' service rendered before Parts II and III of the Initial Canon came into force;

(b) any service rendered after Parts II and III of the Initial Canon and the Former Canon came into force in respect of which –

(i) the contributions mentioned in Part V have not been paid; or

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38 Amended by Canon 12, 2026.

39 Sub section 5 omitted by Canon 12, 2026.

(ii) where that service is missionary service, in respect of which there has not been paid to the Fund a sum which corresponds to the aggregate of the contributions which would have been payable in respect of a like period of service in a participating diocese;

(c) any period of service in respect of which leave has been taken or payment made under the provisions of the Initial Canon, the Former Canon, this Schedule or of any other long service leave scheme,

(d) any period of service which is taken into account under any Act of any Parliament award or industrial agreement in calculating an entitlement to leave in the nature of long service leave or payment in lieu of such leave whether the Act award or industrial agreement is made before or after any part of this Schedule came into force. This paragraph does not apply however in calculating the length of qualifying service of any participant who has made application under sub -section 34(3).

(3) (a) When on a particular date a participant has –

(i) begun to render qualifying service; or

(ii) resumed rendering qualifying service; the participant may make application to the Board to be deemed to have begun or resumed rendering that service on an earlier date.

(b) The Board, acting upon actuarial advice, may determine a date from which and conditions (including conditions as to payment of contributions in respect of the period between the last mentioned date in paragraph 34(3)(a) and the first mentioned date) subject to which the applicant under paragraph 34(3)(a) is deemed to have begun or resumed rendering qualifying service as the case may be.

(c) In making a determination under paragraph 34(3)(b) the Board –

(i)[40] must take into account any period of less than 10 years qualifying service which ended less than 5 years before the date of the determination; and

(ii) may take into account any period of less than 10 years qualifying service which ended 5 or more years before the date of the determination;

in respect of which the participant has not under the Initial Canon, the Former Canon or this Schedule taken leave or received payment.

40 Amended by Canon 12, 2026.

(d) The Board is not required to maintain a record of qualifying service for more than five years after the qualifying service ceases to be rendered by reason only of –

(i) anything in this sub-section; or

(ii) the qualifying service having been rendered (wholly or partly) before the commencement of this Schedule.

Where any such record has existed, but no longer exists, the Board –

(iii) may still determine a date under paragraph (b); and

(iv) if it sees fit may at any time reconstruct the record to its satisfaction and rely on the reconstructed record.

Periods of Leave

35. (1)[41] Leave may be granted and taken in one continuous period or, if the participant and the diocese or participating organisation so agree, in separate periods.

(2) Any period of leave granted pursuant to sub-section (1) must be comprised of complete weeks each comprised of 7 days.

Annual Holidays Excluded

36.[42] Long service leave taken under this Schedule is exclusive of annual holidays and public holidays applicable to a participant's usual service but is inclusive of all other days off occurring during the leave.

When Leave to be Taken

37. Where a participant has become entitled to long service leave under this Schedule the leave must be given and the participant must take the leave –

(a) where the participant is serving in a participating diocese, as soon as practicable having regard to the needs of the diocese in which the participant is serving except that after an entitlement to leave has accrued the diocese and the participant may agree that the taking of the leave be postponed until an agreed date; or

(b) where the participant is not serving in a participating diocese or is serving in a participating organisation, as soon as practicable having regard to the needs of the Church or the participating organisation.

41 Amended by Canon 13, 2017 which came into effect on 2 October 2017; further amended by Canon 12, 2026.
42 Amended by Canon 12, 2026.

Priority as Between Participants

38. Participating dioceses and participating organisations determine the order in which participants entitled to long service leave take that leave but, in determining that order, ordinarily must give priority to those who have rendered the longest qualifying service.

Notice of Leave

39.[43] Each participant must give to the participating diocese or participating organisation, unless that participating diocese or participating organisation otherwise agrees, at least 3 months' notice of the date from which it is proposed that the participant's long service leave shall be given and taken.

PART VII: NATURE OF SERVICE

40. (1) Every participating diocese or participating organisation must advise the Board if a participant begins or concludes part-time service.

(2) Where a participating diocese or participating organisation advises the Board in accordance with sub-section 40 (1) they shall advise the Board of the equivalence of that service to full -time service in that participating diocese or participating organisation.

(3) Any payment or apportioned payment made by the Board in relation to a participant on part-time service shall be pro-rated in accordance with the advice given by the participating diocese or participating organisation in accordance with sub-section 40 (2).

PART VIII: PAYMENT

Notional Stipend

41. (1) The Standing Committee acting upon the advice of the Board may from time to time determine –

(a) a notional annual stipend in respect of all participants expressed as a sum per annum; or

(b) a notional annual stipend as so expressed in respect of each of two or more categories of participants determined by the Standing Committee on the advice of the Board; effective from the next first day of January.

[43] Amended by Canon 12, 2026.

Sabbatical Allowance

42. (1) In respect of each day of long service leave actually taken the rate at which sabbatical allowance is payable is:

(a) subject to paragraph 42(1)(b) a rate per day equal to 35.5% of a 365th part of the notional stipend pro-rated for the nature of service; or

(b) if the Standing Committee, acting on the advice of the Board, fixes another rate per day, the rate so fixed for the time being.

Normal Payment

43. (1) Where a participant whose salary or ordinary stipend is paid by a participating diocese, by a parish, institution or organisation in a participating diocese or by a participating organisation, enters upon a period of long service leave –

(a) the participant must be paid his or her salary or ordinary stipend in respect of that period of leave either –

(i) in a single payment when the participant enters upon the period of leave; or

(ii) at the time or times at which the participant's salary or stipend would have been paid if he or she had not taken leave.

(b) (i) the Board must pay to the diocese in which the participant was serving or the participating organisation by which the participant was employed immediately before he or she entered upon the leave a sum equal to so much of the notional annual stipend as is apportionable to that period of leave and pro-rated for the nature of service.

(ii) where the salary or ordinary stipend of the participant is not paid by the diocese itself the diocese must remit that sum to the parish institution or organisation by which such salary or stipend is paid; and

(c) the Board in addition must pay to the diocese or participating organisation a sabbatical allowance in respect of that period of leave and pro-rated for the nature of service and that sabbatical allowance must be paid in full to the participant.

(2) Upon a payment being made by the Board under this section the liability of the Fund in respect of the participant for whose benefit it is paid is discharged to the extent of that payment.

Payment Direct to Participant

44. (1) Where a participant whose ordinary salary or stipend is not paid by a participating diocese, by a parish institution or organisation in a participating diocese or by a participating organisation enters upon a period of long service leave the Board must pay directly to the participant so much of the notional annual stipend as is apportionable to the period of that leave and pro-rated for the nature of service and a corresponding sabbatical allowance.

(2) The Board may make the payment under sub-section 44(1) conditional upon the participant entering into such an agreement with it relating to the acceptance by the participant of other payments in the nature of stipend salary or wages or the like as the Board deems proper.

Payment in lieu on Death or Terminal Medical Condition[44]

45. (1)[45] When the qualifying service of a participant terminates by reason of the participant's death or terminal medical condition then an amount for each period of service is to be paid, equal to –

(a) one week for each year of qualifying service performed prior to the Commencement Date; and

(b) 1.3 weeks for each year of qualifying service performed on or after the Commencement Date until and including the Revised Entitlement Date; and

(c) one week for each year of qualifying service performed after the Revised Entitlement Date –

of the notional stipend current at the date of the participant's death or termination of the qualifying service due to the participant's terminal medical condition together with a proportionate payment for any incomplete year of qualifying service rendered.

(2) The amount payable under sub-section 45(1) –

(a)[46] is to include the sabbatical allowance; and

(b) is payable to such person or persons as the Board determines.

Payment in Lieu on Resignation or Retirement

46. (1)[47] When the qualifying service of a participant terminates other than by reason of the participant's death or terminal medical condition and –

(a) the participant has completed at least 5 years qualifying service; and

(b) subsection 33(3) does not apply –

then the participant is to be paid an amount equal to –

(c) one week for each year of qualifying service performed prior to the Commencement Date; and

(d) 1.3 weeks for each year of qualifying service performed on or after the Commencement Date until and including the Revised Entitlement Date; and

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44 Amended by Canon 5, 2022 which came into effect on 11 May 2022.

45 Added by Canon 13, 2017 which came into effect on 2 October 2017; amended by Canon 5, 2022 which came into effect on 11 May 2022; further amended by Canon 12, 2026.

46 Amended by Canon 5, 2022 which came into effect on 11 May 2022.

47 Added by Canon 13, 2017 which came into effect on 2 October 2017; amended by Canon 5, 2022 which came into effect on 11 May 2022.

(e) one week for each year of qualifying service performed after the Revised Entitlement Date –

of the then current notional stipend and pro-rated for the nature of service together with a proportionate payment for any incomplete year of qualifying service rendered and pro-rated for the nature of service.

(2) The amount payable under sub-section 46(1) is not to include a sabbatical allowance.

Payment to Another Fund

47. (1) Where the participating diocese or organisation which contributes in respect of a participant gives notice to the Board under this section then at the expiration of three months from the date of giving notice the Board is empowered to exercise its discretion under sub -section 47(2) as if the participant had resigned at the expiration of the period of three months.

(2) Where a participant resigns and the Board satisfies itself –

(a) that the participant intends to continue or resume employment under conditions of employment where contributions are to be made to another fund or organisation whose constitution and rules for the payment of benefits are similar to those of the Fund ("the other Fund"); and

(b) that employment is, or will become, available to the participant to take up;

the Board in its discretion, exercisable at any time before payment is made under this Part, may decide that this section applies, whether or not the participant has completed 10 years of qualifying service.

(3) If the Board decides that this section applies section 46 does not.

(4) Where this section applies and –

(a) the participant has completed 10 years or more of qualifying service; or

(b) the participant had not completed 10 years of qualifying service but has completed a period of less than 10 years qualifying service fixed under sub-section 33 (3);

the Board must pay the amount payable under this section either to the other fund or to the participant, as the Board sees fit.

(5) Where this section applies but the participant has not completed 10 years or more of qualifying service or a period of less than 10 years qualifying service fixed under sub-section 33 (3), the Board at its sole discretion may fix the participant's completed service as qualifying service under sub-section 33 (3), and must pay the amount payable under this section to the other fund.

(6)[48] The amount payable under this section is an amount equal to –

(a) one week for each year of qualifying service performed prior to the Commencement Date; and

(b) 1.3 weeks for each year of qualifying service performed on or after the Commencement Date until and including the Revised Entitlement Date; and

(c) one week for each year of qualifying service performed after the Revised Entitlement Date –

of the then current notional stipend and pro-rated for the nature of service together with a proportionate payment for any incomplete year of qualifying service rendered and pro-rated for the nature of service.

(7) The Board may at any time before payment is made under this section revoke its decision, in which case this section no longer applies and section 46 once again applies.

PART IX: GENERAL

Relationship with Participant

47A.[49] (1) Nothing in this Schedule is to be taken as creating an employment relationship or some other similar relationship between the Fund and a participant or former participant.

(2) An employment relationship, any terms of appointment, or a contract or any other relationship recognized by or enforceable at law between a participant and a diocese or participating organization, whether or not written or explicit, is not affected by the provisions of this Schedule.

Winding Up

48. (1) In this section –

"**End Date**" is the date on which the Fund is wound up or dissolved.

"**Liability of the Fund for long service leave benefits**" means the liability of the Fund for long service leave benefits payable under the Canon determined in accordance with applicable Australian Accounting Standards or similar standards applicable from time to time.

"**Successor Fund**" means an entity, fund, authority or institution of similar purpose to the Fund and whose constitution or trust deed and rules for the

[48] Added by Canon 13, 2017 which came into effect on 2 October 2017.
[49] Added by Canon 12, 2026.

payment of benefits are as nearly as possible similar to those of the Fund, and which is an Eligible Charity.

"**Surplus Assets**" means, in respect of the Fund as at the End Date, the assets, property or money of the Fund, remaining after satisfaction of, or provision for, the debts and liabilities of the Fund, other than the liability of the Fund for long service leave benefits.

(2) If –

(a) the Fund is wound up or dissolved for any reason, and

(b) on the End Date there are Surplus Assets of the Fund,

the Surplus Assets are to be paid or transferred in accordance with this section.

(3) The Surplus Assets are to be paid or transferred in accordance with the following provisions –

(a) Each Participating Diocese and Participating Organisation as at the End Date is to nominate to the Board a Successor Fund for that Participating Diocese or Participating Organisation.

(b) If a Participating Diocese or Participating Organisation does not nominate a Successor Fund to the Board within 6 months after request made by the Board, the Successor Fund for that Participating Diocese or Participating Organisation will be determined by the Board with the approval of the Standing Committee.

(c) The Board will pay from the Surplus Assets to the Successor Fund nominated by a Participating Diocese or Participating Organisation an amount ("A") calculated in accordance with the following formula –

A = B/C x D

where –

B is the liability of the Fund for long service leave benefits, which relate to Participants for whom that Participating Diocese or Participating Organisation made or was liable to make contributions to the Fund under section 31(1) for or in respect of the last complete quarter ending on or before the End Date.

C is the liability of the Fund for long service leave benefits, which relate to all Participants for whom Participating Dioceses or Organisations made or were liable to make contributions to the Fund under section 31(1) for or in respect of the last complete quarter ending on or before the End Date.

D is the total value of the Surplus Assets.

(d) If on the End Date a Participating Diocese or Participating Organisation has not paid any contribution for which it is liable under section 31(1), A must be reduced by the amount of any such unpaid contribution.

(4) Each Successor Fund must assume the liability of the Fund for long service leave benefits in respect of the Participants for whom the relevant Participating Diocese or Participating Organisation made or was liable to make contributions to the Fund under section 31(1) for or in respect of the last complete quarter ending on or before the End Date.

MARRIAGE OF DIVORCED PERSONS CANON 1981

Canon 7, 1985[1]

A canon to regulate the practice and procedure of this church with respect to the marriage of divorced persons.

The General Synod prescribes as follows:

1. This canon may be cited as the "Marriage of Divorced Persons Canon 1981".

2. In this canon "**divorced person**" means a person who was a party to a marriage which has been dissolved in accordance with law.

3. (1) The marriage of a divorced person shall not be solemnised according to the rites and ceremonies of this Church or by a minister of this Church during the life of the person's former spouse unless, upon application made by the proposed celebrant, the bishop of the diocese in which the marriage is to be solemnised has consented to the solemnisation of the marriage.

   (2) Where the consent of a bishop is given under sub-section (1), the bishop shall cause notice of the consent to be furnished in writing to the proposed celebrant.

   (3) The bishop of a diocese shall not consent to the solemnisation of a marriage pursuant to sub-section (1) unless either

      (a) at least one of the persons proposed to be married ordinarily resides in his diocese, or

      (b) the bishop of the diocese in which one of the persons proposed to be married ordinarily resides has given his consent to the solemnisation of the marriage.

4. Consent shall not be given by a bishop under this canon unless the bishop and the proposed celebrant are satisfied that the marriage of the divorced person would not contravene the teachings of Holy Scripture or the doctrines and principles of this Church.

5. (1) The bishop of a diocese may make regulations, not inconsistent with ordinances (if any) made under sub-section (2) concerning the practice and procedure in relation to applications under this canon for his consent to the solemnisation of the marriage of a divorced person.

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1 This canon was passed provisionally as Canon 13(P), 1981.

(2) The synod of a diocese may, by ordinance, regulate the practice and procedure in relation to applications under this canon for obtaining the consent of the bishop of the diocese to the solemnisation of the marriage of a divorced person.

6. A minister of this Church may refuse to solemnise the marriage of any divorced person during the life of the person's former spouse.

7. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in any diocese unless and until the diocese by ordinance adopts it.

MATRIMONY (PROHIBITED RELATIONSHIPS) CANON 1981[1]

Canon 15, 1981

A canon concerning Canon 99 of the Canons Ecclesiastical made in the year 1603 and the prohibition of the solemnization of matrimony between persons within certain prohibited relationships.

Whereas certain Constitutions and Canons Ecclesiastical made in the year 1603 (hereinafter called "**the Canons of 1603**") were published in England by lawful authority

And whereas certain of the Canons of 1603 continue to apply to and be in force in the several dioceses of the Anglican Church of Australia

And whereas it is desirable to repeal Canon 99 of the Canons of 1603 insofar as it applies to or is in force in the several dioceses of the Anglican Church of Australia and to prohibit the solemnization of matrimony between persons within certain prohibited relationships

Now therefore the General Synod prescribes as follows:

1. This canon may be cited as the "Matrimony (Prohibited Relationships) Canon 1981".

2. In this canon unless the context otherwise requires:

   "**adopted**" in relation to a child means adopted under the law of any place (whether in or outside Australia) relating to the adoption of children;

   "**minister**" means a minister who on the nomination of this Church is authorized by the law of the Commonwealth of Australia to solemnize matrimony;

   "**prohibited relationship**" means any relationship described in the Schedule as extended by Sections 5 and 6;

   "**the Canons of 1603**" means the Constitution and Canons Ecclesiastical agreed upon by the Bishops and Clergy of the Province of Canterbury in the year of our Lord 1603 and known as the Canons of 1603.

3. The Canon numbered 99 included in the Canons of 1603 shall henceforth have no operation or effect in this Church.

4. A minister shall not solemnize matrimony between persons who are within a prohibited relationship.

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1 See Appendix B.

5. A prohibited relationship shall include a relationship of the half-blood and a relationship traced through or to any person born of unmarried parents.

6. (1) A prohibited relationship shall include a relationship traced through or to a person who is or was an adopted child and for that purpose the relationship between an adopted child and his adoptive parent or each of his adoptive parents shall be deemed to be or to have been the natural relationship of child and parent.

(2) Nothing in sub-section (1) of this section makes it lawful for a clergyman to solemnize a marriage which he could not lawfully have solemnized if that sub-section had not been enacted.

(3) For the purpose of this section:

(a) a person who has at any time been adopted by another person shall be deemed to remain the adopted child of that other person notwithstanding that any order by which the adoption was effected has been annulled, cancelled or discharged or that the adoption has for any other reason ceased to be effective; and

(b) a person who has been adopted on more than one occasion shall be deemed to be the adopted child of each person by whom he has been adopted.

7. The provisions of this canon affect the order and good government of the Church within a diocese and shall not come into force in any diocese unless and until the diocese by ordinance adopts the canon.

THE SCHEDULE

The relationship between a man and a woman who is or has been his:

mother
daughter
father's mother
mother's mother
son's daughter
daughter's daughter
sister
wife's mother
wife's daughter
father's wife
son's wife
father's father's wife
mother's father's wife
wife's father's mother
wife's mother's mother
wife's daughter's daughter
wife's son's daughter
son's son's wife
daughter's son's wife
father's sister
mother's sister
brother's daughter
sister's daughter

The relationship between a woman and a man who is or has been her:

father
son
father's father
mother's father
son's son
daughter's son
brother
husband's father
husband's son
mother's husband
daughter's husband
father's mother's husband
mother's mother's husband
husband's father's father
husband's mother's father
husband's son's son
husband's daughter's son
son's daughter's husband
daughter's daughter's husband
father's brother
mother's brother
brother's son
sister's son

MINISTRY TO THE SICK CANON 1981

Canon 5, 1981

A canon to authorise the use of certain forms of service for ministry to the sick.

The General Synod prescribes as follows:

1. This canon may be cited as "the Ministry to the Sick Canon 1981".

2. The use by this Church of the forms of service for Ministry to the Sick set out in the Schedule hereto, in accordance with the rubrics incorporated therein, is hereby authorised.

3. The synod of a diocese may by ordinance regulate the use in the diocese of the forms of service set out in the Schedule hereto.

4. (1) Subject to this section, the bishop of a diocese may, upon request being submitted to him, authorise deviations from the forms of service set out in the Schedule hereto.

   (2) The procedures set out in the second and third provisos to Section 4 of the Constitution apply to and in relation to the submission of requests to the bishop of a diocese under sub-section (1) in like manner as they apply to and in relation to the submission of requests for deviations from the Book of Common Prayer.

   (3) Nothing in this section permits a deviation contravening a principle of doctrine or worship referred to in Section 4 of the Constitution.

5. A minister of this Church is not bound hereby to lay hands on or anoint the sick.

6. This canon affects the order and good government of the Church within a diocese and shall not come into force in any diocese unless and until the diocese by ordinance adopts the canon.

SCHEDULE

Form of Service for the Anointing of the Sick and Laying on of Hands

NOTES

1. It is desirable that the priest be notified of the illness of any member of the congregation.

2. The forms provided here are to be used for those who desire this ministry and have received such instruction as their condition permits. The forms may be used at home, or in hospital, or wherever the sick person is being cared for. The forms may also be used within a service of public worship in church.

3. The minister shall be a priest or in case of necessity one deputed by him.

4. The prayers "for healing" or "for a sick child" (An Australian Prayer Book pages 570-575) may also be used.

‡ 1 The minister may say

The peace of the Lord be with you.

And also with you.

2a The minister may use readings from the Ministration to the Sick (An Australian Prayer Book pages 569-570).

b When anointing is desired he shall read

In the Letter of James we read: Is any among you sick? Let him call for the elders of the church, and let them pray over him, anointing him with oil in the name of the Lord; and the prayer of faith will save the sick man, and the Lord will raise him up; and if he has committed sins, he will be forgiven. Therefore confess your sins one to another, and pray for one another, that you may be healed. James 5:14-16a

c When laying on of hands is desired, he shall read this or some other suitable verses from the Bible.

Now when the sun was setting, all those who had any that were sick with various diseases brought them to Jesus; and he laid his hands on every one of them and healed them. Luke 4:40

This is the word of the Lord.

Thanks be to God.

‡ 3 The minister may ask the sick person

Do you ask for this ministry?

I do

4 Unless it has already been said, a suitable form of confession should be used here. This may be in the sick person's own words, or the following form:

Merciful God, my maker and my judge,
I have sinned against you in thought, word and deed:
I have not loved you with my whole heart;
I have not loved my neighbour as myself;
I repent, and am sorry for all my sins.
Father, forgive me.
Strengthen me to love and obey you in newness of life;
through Jesus Christ our Lord. Amen.

Or this

Lord and heavenly Father,
I confess that I have sinned in thought, word, and deed through my own fault; and especially I have sinned in this way ...
For these sins I am truly sorry and firmly purpose to amend my life.
I ask your forgiveness,
for Jesus' sake. Amen.

The priest announces the Absolution, either in the following form.

Almighty God,
who has promised forgiveness to all who turn to him in faith,
pardon you and set you free from all your sins, and strengthen you to do his will,
and keep you in eternal life;
through Jesus Christ our Lord. **Amen**.

Or this

Our Lord Jesus Christ, who has left power to his Church to absolve all sinners who truly repent and believe in him, of his great mercy forgive you your offences: and by his authority committed to me I absolve you from all your sins, in the name of the Father, and of the Son, and of the Holy Spirit.
Amen

or the minister may say this word of assurance

If anyone sins, we have an advocate with the Father, Jesus Christ the righteous; and he is the perfect offering for our sins, and not of ours only but also for the sins of the whole world. 1 John 2:1, 2

5 If the anointing of the sick is not to be administered, the service continues with the laying on of hands at #9.

6 The minister says

Almighty God, your apostle James encouraged the sick to call for the elders of the Church, that they might pray over them and anoint them with oil; be pleased to use this oil for your purpose. Grant that *he* who is anointed with it may be strengthened by your Holy Spirit, healed and restored, through Jesus Christ our Lord. **Amen.**

7 The minister anoints the sick person, saying

N., I anoint you in the name of the Lord Jesus. **Amen.**

or

N., In the faith of Jesus Christ, I anoint you in the name of the Father, and of the Son, and of the Holy Spirit. **Amen**.

8 If the laying on of hands is not to be administered, the service continues with the prayer at #10.

9 Those present may join in the laying on of hands with the minister, saying

N., *We* lay *our* hands on you, in the name of Jesus Christ our Saviour. **Amen**.

10 The minister says

Almighty God, giver of life and health, grant you release from pain, refreshment of spirit, and wholeness in body and mind. **Amen.**

A time of silent prayer now follows, after which the Lord's Prayer may be said.

Our father in heaven,
hallowed be your Name,
your kingdom come,
your will be done
on earth as in heaven.
Give us today our daily bread.
Forgive us our sins
as we forgive those who sin against us.
Lead us not into temptation,
but deliver us from evil.
For the kingdom, the power, and the glory are yours
now and for ever. Amen.

‡ 11 The person who has been anointed or has received the laying on of hands may return thanks using *his* own words, *or* the following prayer

Lord Jesus, your love never fails. Thank you for this assurance that your hands are stretched out to me, to forgive, to strengthen, and to heal. Amen.

or

Thanks be to God.

This Thanksgiving is also appropriate.

Most merciful Father, we humbly thank you
for all your gifts so freely bestowed upon us.
For life and health and safety,
for power to work and leisure to rest,
and for all that is beautiful in creation and in the lives of men,
we praise and glorify your holy Name.
But, above all, we thank you
for the means of grace,
and for the hope of glory.
Fill our hearts with all joy and peace in believing;
through Jesus Christ our Lord. Amen.

12 The minister says

The almighty God, who is a most strong tower to all that put their trust in him, and to whom all things in heaven and earth do bow and obey; be now and always your defence, and make you know and feel that there is no other name under heaven given to man, in whom and through whom you may receive health and salvation, but only the Name of our Lord Jesus Christ. **Amen.**

(Note: In the official copy, the rubrics are printed red)

MISSIONARY DIOCESES CANON 1977

Canon 4, 1977 as amended by
Canon 10, 1985
Canon 11, 1995
Canon 22, 2017

A canon to provide for the formation and administration of missionary dioceses.

The General Synod prescribes as follows:

1.[1] In this canon unless the context otherwise requires -

"**Constitution**" means the Constitution of The Anglican Church of Australia;

"**Missionary Diocese**" includes the dioceses of Carpentaria and Northern Territory as existing from time to time and by whatever name called;

"**Provisional Missionary Diocese**" means a diocese presently subject to a declaration under section 7C.

"**Standing Committee**" means the Standing Committee of General Synod.

2.[2]

Part 1 – Missionary Dioceses[3]

3. The following provisions shall be deemed incorporated in the constitution of any new missionary diocese unless inconsistent with the initiating canon or the constitution in its schedule but the provisions shall not by reason of this section be deemed incorporated in the constitution of any existing missionary diocese.

(i) The first bishop shall be elected by a meeting of the members of the House of Bishops.

(ii) A budget of anticipated receipts and expenditure of the missionary diocese for the ensuing two years shall be prepared by its council and submitted annually to the Standing Committee for approval.

(iii) An annual statement of income and expenditure and balance sheet shall be forwarded by the diocese to the Standing Committee.

(iv) The constitution of any new missionary diocese shall not be altered until a resolution approving such alteration has been passed by Standing Committee of General Synod.

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1 Replaced by Canon 11, 1995, amended by Canon 22, 2017.
2 Repealed by Canon 11, 1995.
3 Heading added by Canon 22, 2017.

4. (i) Subject to sub-section (viii) hereof whenever the office of bishop of a missionary diocese shall become vacant, a bishop shall be elected in the manner provided in this section.

(ii) [4] For the purposes of the election there shall be a board of electors comprising:

(a) The Metropolitan of the province of which the missionary diocese is a part or a diocesan bishop nominated by that Metropolitan or if the missionary diocese is not part of a province the Primate or a diocesan bishop nominated by the Primate.

(b) Four clergy and four lay members elected by the synod of the missionary diocese or if it has no synod by its diocesan council.

(iii) [5] Whenever the office of bishop of a missionary diocese shall become vacant or is proposed to be vacated the Primate shall within one month of such vacancy occurring or of receipt by the Primate of the proposal summon the board to meet not earlier than one month nor later than two months after the issuing of the summons at a place nominated by the Primate for the purpose of electing a new bishop of the missionary diocese. At every meeting of the board the member pursuant to paragraph (a) of the previous sub-section shall be the chairman.

(iv) [6] A meeting of the board shall not proceed to an election unless at least two-thirds of its members including the chairman are present. A person shall not be deemed elected unless he receives the votes of at least two-thirds of the members of the board.

(v) [7] If no person should obtain such majority the meeting shall be adjourned until such time as the meeting shall determine. The board shall subject to this canon have power to regulate its own proceedings and to decide all matters relating to the election and shall have power to provide that after the first meeting if there be no person elected further consideration to the question may take place through the chairman by correspondence and voting may take place in writing addressed to the chairman.

(vi)[8]

(vii) The cost of and incidental to the first meeting of the board in any election shall be borne in equal shares by General Synod and by the missionary diocese concerned.

(viii) The provisions of this section shall not apply to the Diocese of Carpentaria.

5. Each diocese other than missionary dioceses shall contribute to the General Synod office an assessment which assessment is to provide for such of the costs of the remuneration, travelling and the providing of residential accommodation of a bishop of a missionary diocese and any incidental costs of running such diocese as is determined in each case by General Synod on the recommendation of the Standing Committee. The method of payment of the assessment shall be determined by General Synod.

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4 Sub-section 4(ii) replaced by Canon 10, 1985.
5 Sub-section 4(iii) amended by Canon 10, 1985.
6 Sub-section 4(iv) replaced by Canon 10, 1985.
7 Sub-section 4(v) amended by Canon 10, 1985.
8 Sub-section repealed by Canon 10, 1985.

6.[9] A missionary diocese is not required to pay the fixed assessments of General Synod unless General Synod otherwise determines by Rule.

7.[10] Where a Missionary Diocese has a synod such diocese may apply to General Synod to terminate its status as a Missionary Diocese. General Synod may on such application or on the recommendation of Standing Committee by resolution or by canon terminate the status of a diocese as a Missionary Diocese.

Part 2 – Provisional Missionary Dioceses[11]

7A. (a) A diocese may apply to the Standing Committee to be declared a Provisional Missionary Diocese.

(b) Subject to paragraph (c), an application must be made by resolution of the Synod of the diocese and with the consent of -

(i) the Metropolitan of the Province; and

(ii) a majority of the diocesan councils of the Province (of which the diocesan council of the applicant diocese is to be counted as a consent in favour).

(c) If—

(i) the diocesan council considers that the application is urgent; and

(ii) the Synod of that diocese is not due to meet for at least two months from the date of the application -

the application may be made by resolution of the diocesan council instead of by the Synod of the diocese.

7B. The application must set out the reasons for the diocese seeking to be declared to be a Provisional Missionary Diocese, and must:

(a) provide financial statements for the past three years;

(b) provide a financial plan for the future of the diocese;

(c) provide for appropriate episcopal oversight of the diocese;

(d) provide for appropriate synodical governance of the diocese;

(e) provide for compliance with the minimum legal and regulatory framework necessary for the diocese to function;

(f) give consideration to the structures necessary to support the diocese in the future.

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9 Amended by Canon 11, 1995.
10 Replaced by Canon 11, 1995.
11 Part 2 – 7A, 7B, 7C, 7D, 7E, 7F added by Canon 22, 2017.

7C. (1) If the Standing Committee is satisfied that an application complies with the sections 7A and 7B, it may—

(a) declare a diocese to be a Provisional Missionary Diocese;

(b) by a majority of two-thirds of the members of the Standing Committee declare that the Provisional Missionary Diocese is not required to pay the fixed assessments of General Synod;

(c) by a majority of three-quarters of the members of the Standing Committee, such majority to include all Metropolitans, declare that all other dioceses (other than missionary or provisional missionary dioceses) must pay the amount for the support of the Provisional Missionary Diocese that is determined by resolution of Standing Committee; and

(d) require the diocese to provide such information as the Standing Committee may require from time to time, including detailed financial reports.

(2) A declaration under sub-section (1) is valid for no more than three years, or for the period not exceeding three years determined by the Standing Committee at the time it is made.

(3) The Standing Committee may extend the validity of a declaration for one or more further periods of no more than three years at the request of the Synod of the diocese made by resolution.

7D. In determining and amount for the purposes of section 7C(1)(c), Standing Committee must take into account:

(a) the costs of the bishop of the diocese, including remuneration, travel and accommodation; and

(b) other costs of running the diocese which seem relevant to Standing Committee.

7E. Sections 3 to 7 of this canon do not apply to a Provisional Missionary Diocese.

7F. A Provisional Missionary Diocese is a diocese for the purposes of the Constitution, remains subject to the Constitution and must at all times comply with the Constitution.

Part 3 – Miscellaneous[12]

8. Section 8 of the Diocese of the Northern Territory Diocesan Council Canon 1966 is repealed.

9. This canon may be cited as the "Missionary Dioceses Canon 1977."

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12 Heading added by Canon 22, 2017.

NATIONAL ABORIGINAL AND TORRES STRAIT ISLANDER ANGLICAN COUNCIL CANON 2014

Canon 1, 2014 as amended by
Canon 20, 2017
Canon 3, 2022

The General Synod prescribes as follows:

Part 1 - Preliminary

Title

1. This Canon is the "National Aboriginal and Torres Strait Islander Anglican Council Canon 2014".

Commencement

2. This Canon comes into operation on 1 January 2015.[1]

Interpretation

3. (1) In this Canon—

"**Council**" means the National Aboriginal and Torres Strait Islander Anglican Council established by this Canon;

"Current Member" [2] means a member of the Council under section 10(1) other than a person appointed under paragraph (c);

"**National Aboriginal Bishop**" means the Aboriginal bishop most recently appointed by the Primate under section 17(8)(b) of the Constitution to be a member of the House of Bishops at a session of the Synod;

"**National Torres Strait Islander Bishop**" means the Torres Strait Islander bishop most recently appointed by the Primate under section 17(8)(b) of the Constitution to be a member of the House of Bishops at a session of the Synod; and

"**NATSIAC Executive**" means the NATSIAC Executive established by this Canon.

(2) For the purposes of this Canon, the diocesan bishop is the bishop who is the diocesan bishop at the relevant time.

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1 Canon 17, 1998 had effect until 31 December 2014.
2 Added by Canon 3, 2022.

Part 2 - National Aboriginal and Torres Strait Islander Anglican Council

Establishment of the Council and NATSIAC Executive

4. There is established a National Aboriginal and Torres Strait Islander Anglican Council.

5. There is established a NATSIAC Executive which has the power to conduct business as determined by the Council consistent with this Canon.

Objects of the Council

6. The objects of the Council are—

   (a) to promote the proclamation of the gospel especially to Aboriginal persons and to Torres Strait Islanders;

   (b) to encourage the provision of pastoral care especially to Aboriginal Anglicans and to Torres Strait Islander Anglicans;

   (c) to provide resources to those engaged in ministry with Aboriginal Anglicans and Torres Strait Islander Anglicans;

   (d) to encourage and facilitate the celebration of Aboriginal culture and Torres Strait Islander culture within the Church and the community;

   (e) to represent the views of Aboriginal Anglicans and Torres Strait Islander Anglicans both within Australia and internationally;

   (f) to develop and recommend to relevant bodies, policies and strategies for the purpose of facilitating Aboriginal and Torres Strait Islander mission and ministry;

   (g) to engage with other Aboriginal people and Torres Strait Islanders in the wider church nationally and internationally;

   (h) to advocate with Aboriginal people and Torres Strait Islanders nationally and internationally on issues relating to social justice; and

   (i) to exercise the powers and perform the functions conferred on it by the Constitution, this Canon, and the Canons and rules of the General Synod.

Additional objects

7. (1) Subject to this section, the Standing Committee of General Synod may by resolution at the request of the Council confer on the Council additional objects.

   (2) A resolution under sub-section (1) must be submitted to the next succeeding ordinary session of the General Synod for confirmation. Such additional objects, confirmed by resolution of General Synod, shall be noted in any subsequent reprinting of the Canon.

(3) If a resolution under sub-section (1) is not submitted under sub-section (2) or, having been submitted is not confirmed by the General Synod, it ceases to have effect from the commencement of that session of the General Synod, but not so as to affect the validity of anything done before the commencement of that session.

(4) Any object confirmed by resolution of General Synod under sub-section (2) may be rescinded by a resolution of the General Synod Standing Committee, at the request of the Council. A resolution under this sub-section must be submitted to the next succeeding ordinary session of General Synod for confirmation, otherwise it ceases to have effect.

Powers of the Council

8. The Council may do all things necessary and incidental to fulfilling its objects, powers and duties.

Specific powers of the Council

9. In order to fulfil its objects, the Council may—

(a) conduct such business as it may determine;

(b) raise, administer and expend funds; and

(c) appoint such staff as it considers necessary.

Membership of the Council

10. (1) The members of the Council are:

(a) the National Aboriginal Bishop;

(b) the National Torres Strait Islander Bishop;

(c) any person appointed by the Council as a life member of the Council;

(d) four Aboriginal persons and four Torres Strait Islanders appointed by the Bishop of North Queensland, in consultation with the Aboriginal Bishop and the Torres Strait Islander Bishop, to represent the Diocese of North Queensland;

(d1)[3] one Aboriginal person and one Torres Strait Islander appointed by the Archbishop of Brisbane to represent the Diocese of Brisbane;

(e) six Aboriginal persons or Torres Strait Islanders appointed by the Bishop of The Northern Territory to represent the Diocese of The Northern Territory;

[3] Inserted by Canon 20, 2017.

(f) four Aboriginal persons or Torres Strait Islanders appointed by the Bishop of North West Australia to represent the Diocese of North West Australia;

(g) one Aboriginal person or Torres Strait Islander appointed by the Bishop of each Diocese, other than the Dioceses of North Queensland, Brisbane, The Northern Territory and North West Australia, to represent their respective Diocese; and

(h) 10 Aboriginal persons or Torres Strait Islanders appointed by the Council.

(2) The General Secretary of the General Synod shall be responsible for informing diocesan bishops of their responsibilities under this Canon

Qualification for membership of the Council or NATSIAC Executive

11. A person is qualified to be a member of the Council or the NATSIAC Executive if the person—

(a) is a communicant member of the Church;

(b) is aged 18 or more years;

(c) in the case of a person in holy orders (other than a bishop), holds a licence from a bishop of a diocese of the Church; and

(d) in the case of a bishop who is not a life member of the Council, holds an office in the Church.

Term of Council or NATSIAC Executive member's office

12. A member of the Council or the NATSIAC Executive holds office for three years from the date of their appointment, and is eligible for reappointment.

Ceasing to be a member of the Council or NATSIAC Executive

13. A person ceases to be a member of the Council or the NATSIAC Executive if the person—

(a) dies;

(b) resigns to the diocesan bishop who appointed them;

(c) ceases to be qualified under section 11;

(d) has their estate administered in insolvency; or

(e) is declared by any court of competent jurisdiction to be incapable of managing their affairs.

Revocation of appointment as member

14. The diocesan bishop who appointed a member of the Council may revoke the appointment.

Quorum of Council

15. [4] The quorum of a meeting of the Council is one third of the current members of the Council.

16. A decision of the Council is valid notwithstanding any vacancy in its membership.

Membership of NATSIAC Executive

17. The members of the NATSIAC Executive are:

    (a) the National Aboriginal Bishop;

    (b) the National Torres Strait Islander Bishop;

    (c) one Aboriginal person in holy orders who is not a bishop, elected by the members of the Council;

    (d) if there is no National Aboriginal Bishop, an Aboriginal person in holy orders, who may be a bishop, elected by the members of the Council, to hold office only for so long as there is no National Aboriginal Bishop;

    (e) one Torres Strait Islander in holy orders who is not a bishop, elected by the members of the Council;

    (f) if there is no National Torres Strait Islander Bishop, a Torres Strait Islander in holy orders, who may be a bishop, elected by the members of the Council, to hold office only for so long as there is no National Torres Strait Islander Bishop;

    (g) two Aboriginal lay persons elected by the members of the Council;

    (h) two Torres Strait Islander lay persons elected by the members of the Council;

    (i) up to one additional Aboriginal person elected by the members of the NATSIAC Executive; and

    (j) up to one additional Torres Strait Islander elected by the members of the NATSIAC Executive.

4 Amended by Canon 3, 2022.

Part 3 — Other functions and responsibilities

Appointment of non-diocesan representatives to General Synod

18. (1) The Council is the body appointed by Canon referred to in section 17(8)(b) of the Constitution.

(2) The Council must provide the names of the persons recommended when requested by the Primate to do so.

Qualification for appointment as a non-diocesan representative

19. A person is qualified to be a non-diocesan representative under section 17(8) of the Constitution if the person is qualified to be a member of the Council (otherwise than as a life member) and is not a diocesan bishop or a member of the General Synod as a clerical or lay representative of a diocese.

Actions at time of Primatial mandate

20. At the time when the Primate by mandate summons the diocesan bishops to convene clerical and lay representatives to an ordinary or special session of the General Synod the Primate must—

(a) appoint non-diocesan representatives of the General Synod and call them to that session; and

(b) cause Bills for Canons and other documents circulated to dioceses or accompanying the mandate to diocesan bishops to be sent to those non-diocesan representatives.

Term of persons nominated to General Synod Standing Committee

21. A person nominated by the Council to the Standing Committee of General Synod under rule 2 of Rule II continues in office until the commencement of the next ordinary session of General Synod.

Management policies and procedures

22. The Council must establish and maintain policies and procedures for the management of its finances and business which conform with the requirements of prudence and best practice.

Compliance with General Synod legislation

23. The Council is an Organisation for the purposes of the Financial Protection Canon 1995 and must comply with that canon and all other relevant canons and rules of the General Synod.

Reporting

24. (1) The Council must provide to the Standing Committee of General Synod on or before 30 June each year a report on its activities and operations in the previous year to 31 December, including a report on its financial affairs.

(2) The Council must report in writing to each ordinary session of General Synod as to its activities, needs and any other matter it considers appropriate.

Joint Commitment and Affirmation of Faith and Justice

25. This canon operates in the spirit of the Joint Commitment and Affirmation of Faith and Justice passed by resolution 48/07 of the fourteenth session of General Synod in 2007, which is reproduced in the Schedule to this Canon.

Part 4 — Repeal

26. The National Aboriginal and Torres Strait Islander Anglican Council Canon 1998 and the National Aboriginal and Torres Strait Islander Anglican Council Canon 2010 are repealed.

SCHEDULE

Joint Commitment and Affirmation of Faith and Justice passed as resolution 48/07 of the fourteenth session of General Synod

AS members of the Anglican Church of Australia we are called to become a people of the new covenant of Jesus the Christ and to bear witness to justice and righteousness upon this land. We come together, Indigenous and non-Indigenous peoples, to strive for what our ancestors were not able to do.

TOGETHER we acknowledge with gratitude the apology given by our then Primate, Archbishop John Grindrod in 1988 for the hurt done to Aboriginal and Torres Strait Islander peoples and the apology of the General Synod in 1998 for the Stolen Generations. We acknowledge also the ceremonies, Church services and reconciliation projects done at parish level throughout the Country. Today we are able, by the grace of God to look back on these actions as steps on the road of a reconciling life together in the Church of God. We look to a future of walking together towards the image of Christ which points to shared faith and justice among us.

TOGETHER we commit ourselves to living out the new covenant written upon our hearts in our common faith and sharing in Word and Sacrament. In hope and prayer we look to fulfil our responsibilities to each other to share our cultures in the study and living of The Word and Sacrament, to share in our Church tradition, and to be a community of justice and righteousness.

WE, the people of the land and seas, the Aboriginal and Torres Strait Islander peoples, as guardians and custodians of the land and islands of Australia, seek a new day when our peoples can practise and share our culture and wisdom as partners with all who call Australia their home.

WE, the non-Indigenous peoples of Australia recognise the people of the land and the seas, the Aboriginal and the Torres Strait Islander peoples to be the original inhabitants, the indigenous peoples of this land.

WE, together through this shared commitment continue to seek to heal the wounds, hurts and sufferings of the Aboriginal and Torres Strait Islander peoples of Australia.

WE shall share with each other visions, hopes, needs and wants in constructive ways that will bring us closer together as peoples of this Church so we may better support each other.

AS peoples of Christ we are bound into a relationship that seeks to be the foundation of mutual trust, respect, and the sharing of power and resources to create a just and righteous Church and nation of Australia. Through this commitment our own homes, communities, parishes, dioceses and national organisations are to be sanctuaries where we will strive to live out to the fullest the tenets of this our shared faith.

WE are committed to celebrating together important Church festivals and cultural celebrations and commemorations in the life of our land and seas. This gives us the opportunity to share deeply our different ways of celebrating our faith through cultures as peoples and communities of prayer.

WE are committed to assisting, encouraging and resourcing ministry to Aboriginal and Torres Strait Islander people.

WE pledge to consult and work with each other as equal partners in the development of our Church and land, in our communities, parishes, dioceses and nationally and internationally.

WE shall establish means through which we can give witness and testimony accounting for the learnings, struggles, challenges and successes of our journey.

AND we invite all who call Australia their home to join with us as we continue the process of healing our peoples and this land and seas.

NATIONAL HOME MISSION FUND CANON 1985

Canon 8, 1985

A canon to provide for the National Home Mission Fund and for other purposes.

The General Synod prescribes as follows:

1. This canon may be cited as the "National Home Mission Fund Canon 1985".

2. The National Home Mission Fund of the Anglican Church of Australia established by resolution of the Synod Number 15 of 1969 continues in existence under and subject to this canon and is in this canon referred to as the "**National Fund**".

3. The purpose of the National Fund shall be -

   the promotion of the mission of the Church throughout Australia, and particularly in those dioceses which because of remoteness, lack of resources, missionary opportunities or new development are in need of external assistance.

4. The National Fund shall be under the management and control of a committee named "The National Home Mission Fund Committee" and in this canon referred to as "**the committee**" which shall consist of -

   (a) a chairman appointed by the Primate after consultation with the Standing Committee;

   (b) four members appointed by the Primate after consultation with the Standing Committee; and

   (c) the diocesan bishops of the dioceses which are from time to time for the time being receiving financial assistance from the National Fund.

5. Subject to this canon a member of the committee holds office until the second meeting of the Standing Committee after the ordinary meeting of the General Synod next following the member's appointment and if eligible may be re-appointed. In addition, a vacancy in the office of a member of the committee will occur if the members

   (a) dies,

   (b) resigns,

   (c) attains the age of seventy years,

   (d) is declared by any competent court incapable of managing his affairs,

(e) is convicted of any offence punishable by imprisonment for not less than twelve months, or

(f) ceases to be a communicant member of this Church.

A casual vacancy in the office of a member shall be filled by the Primate after consultation with the Standing Committee or, in the case of a member appointed pursuant to Clause 7, by the committee.

6. Five members of the committee shall constitute a quorum.

7. The committee may appoint a secretary and a treasurer either from its own membership or in addition to its original membership. An appointee who is in addition to the original membership shall have full rights as a member of the committee.

8. The committee's financial year shall commence on the first day of January in each year and the committee shall meet at least once in each financial year. The accounts of the National Home Mission Fund shall be audited annually.

9. The committee may from time to time delegate specific areas of its work to an executive committee consisting of the chairman, the secretary and two other members of the committee and may revoke any such delegation.

10. The functions of the committee shall include -

(a) to raise contributions for the purposes of the National Fund;

(b) to determine priorities in meeting requests of dioceses for funds for particular needs;

(c) to promote the establishment in such manner as it sees fit of a corporate trustee for the purpose of holding funds entrusted to it whether for the purpose of the National Fund or otherwise and pending the establishment of such a trustee to appoint a trustee of, or itself to hold as trustee, such funds;

(d) to invest the National Fund in such manner as the committee shall from time to time determine;

(e) to report fully to each ordinary session of General Synod and annually to the Standing Committee on its activities and on the financial state of the National Fund and of such other funds as are under its management and control.

11. The committee shall have power to appoint such staff as may be necessary.

12. The committee shall be responsible for the management and control of the National Home Mission Disaster Fund and the National Home Mission Aboriginal Education Fund in accordance with guidelines approved from time to time by the Standing Committee.

NATIONAL REGISTER CANON 2007

Canon 15, 2007 as amended by
Canon 13, 2010
Canon 9, 2014
Canon 10, 2017
Canon 7, 2022
Canon 8, 2022
Canon 11, 2022
Canon 7, 2026

The General Synod prescribes as follows:

Short title

1. This Canon may be cited as the "National Register Canon 2007".

Definitions

2. The dictionary in the Third Schedule defines particular words and expressions used in this Canon.

Object

3. The object of this Canon is to assist in providing for the physical, emotional and spiritual welfare and safety, and the protection from the risk of abuse, of all people having dealings with clergy and church workers by establishing a National Professional Standards Register to which authorised persons may have access and make disclosures of the Information therein.

Establishment of the National Register

4. There shall be a National Professional Standards Register of clergy and lay persons established and maintained in accordance with the provisions of this Canon.

Information about clergy

5.[1] (1) The National Register shall be a register of all clergy:

(a) against whom a notifiable complaint or a notifiable charge has been made unless it is exhausted; or

(b) in respect of whom there has been a relinquishment of, or consent to deposition from, Holy Orders arising out of sexual misconduct or child abuse;

[1] Amended by Canon 13, 2010.

(c) who have made an adverse admission or are the subject of an adverse finding; or

(d)[2] in respect of whom there has been an adverse check or an adverse criminal history check or an adverse Safe Ministry Check; or

(e) [3] who have not been ordained as a priest or as a bishop, or authorised to function or appointed by a Church authority, because of an adverse risk assessment.

(2) The register of clergy shall contain the following matters:

(a) Information relating to clergy; and

(b) in relation to each member of the clergy included in the register, a notation of the date on which the register was last altered.

Information about lay persons

6.[4] (1) Subject to this Canon the National Register shall be a register of all lay persons:

(a) against whom a notifiable complaint or a notifiable charge has been made unless it is exhausted; or

(b) who have made an adverse admission or are the subject of an adverse finding; or

(c)[5] in respect of whom there has been an adverse check or an adverse criminal history check or an adverse Safe Ministry Check; or

(d)[6] who have not been ordained as a deacon, or authorised to function or appointed by a Church authority, because of an adverse risk assessment.

(2) The register of lay persons shall contain the following matters:

(a) Information relating to lay persons; and

(b) in relation to each lay person included in the register, a notation of the date on which the register was last altered.

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2 Amended by Canon 10, 2017.
3 Amended by Canon 11, 2022.
4 Amended by Canon 13, 2010.
5 Amended by Canon 10, 2017.
6 Amended by Canon 11, 2022.

Maintenance of the National Register

7. (1) Subject to this Canon, the National Register shall be maintained by the General Secretary in such form as the Standing Committee shall approve so as to ensure the security of the Information therein.

(2) The General Secretary shall issue forms necessary for the operation of the National Register and publish these forms on the website of the General Synod.

Provision of Information for inclusion in the National Register

8.[7] (1) A Director of Professional Standards shall enter information in the National Register relating to any member of the clergy or lay person to which he or she has access in carrying out his or her responsibilities, in accordance with a protocol approved by the General Synod, or the Standing Committee by a two-thirds majority, as soon as practicable, and no later than one month after he or she has access to the Information.

(2) A Director of Professional Standards shall advise the General Secretary if Information of which he or she is aware has not been entered in accordance with subsection (1) as soon as practicable after the expiration of the period specified in subsection (1).

(3) The General Secretary shall:

(a) after receipt of advice under subsection (2), promptly enter a caution in the National Register in relation to the member of the clergy or lay person, the subject of that Information; and

(b)[8] no later than one month after the entry of that caution in the National Register, notify the member of the clergy or lay person concerned, by letter sent to his or her postal or electronic address where that address is known and reasonably believed to be used by the member of clergy or the lay person, of:

(i) the entry of the caution; and

(ii) the right of that person to request in writing of the General Secretary the removal of the caution in accordance with subsection (5).

(4) A Director of Professional Standards who has given the General Secretary advice in accordance with subsection (2) shall as soon as practicable after giving such advice notify that Information to the General Secretary.

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7 Amended by Canon 13, 2010; amended by Canon 10, 2017.

8 Amended by Canon 11, 2022.

(5) The General Secretary shall promptly after the earlier of:

(a) notification by a Director of Professional Standards under subsection (4); and

(b) the expiration of two months from receipt of a request in writing from the member of the clergy or lay person the subject of the caution requesting its removal,

remove the caution from the National Register.

Exclusion from operation of the canon

8A.[9] (1) The General Synod, or the Standing Committee, may establish exclusion criteria, and shall publish any such criteria on the General Synod website.

(2) If exclusion criteria are established they must include:

(a) a system of screening for sexual misconduct in relation to adults and child abuse;

(b) a code of conduct; and

(c) a system for making and dealing with complaints of sexual misconduct in relation to adults and child abuse.

(3) The General Synod, or Standing Committee by a two-thirds majority, on application by a province or diocese may exclude from the operation of this Canon for such period as it determines:

(a) a Church body other than a parish; and

(b) a category of church workers;

if it is satisfied that the Church body or the category of church workers meets the exclusion criteria.

(4) The exclusion of a Church body from the operation of this Canon shall not apply to any clergy employed by or exercising ministry within the Church body unless otherwise specified in the exclusion.

(5) The General Synod, or the Standing Committee by a two-thirds majority, may in respect of an exclusion referred to in subsection (3) revoke the exclusion if it is satisfied that the Church body or the category of church workers no longer meets the exclusion criteria.

(6) The General Secretary shall publish on the website of the General Synod a list of all Church bodies and categories of church workers excluded from the operation of this Canon and the date on which the exclusion took effect and if applicable the period during which the exclusion had effect.

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9 Added by Canon 13, 2010.

Notification of Information in the National Register

9.[10] (1) Subject to subsection (5), the General Secretary shall, as soon as practicable, and no later than one month, after the entry of Information in the National Register relating to a member of the clergy or a lay person (other than a changed entry relating to item 4 of each of the First and Second Schedules), notify the member of the clergy or lay person concerned of the entry of that Information by letter sent to his or her last known postal or electronic address where that address is known.

(2)[11] Where a Director of Professional Standards receives a police request or a withdrawal of the police request and is reasonably satisfied of its authenticity, the Director of Professional Standards shall forthwith:

(a) enter a notation of the police request in the National Register, or remove that notation, as the case may be; and

(b) make a police request record or a withdrawal of the police request record, as the case may be, and provide that record to the General Secretary.

(3)[12] Where the General Secretary receives a police request or a withdrawal of the police request and is reasonably satisfied of its authenticity, the General Secretary shall forthwith:

(a) enter a notation of the police request in the National Register, or remove that notation, as the case may be; and

(b) make a police request record or a withdrawal of the police request record, as the case may be.

(4)[13] The General Secretary shall keep any such police request record or withdrawal of the police request record, as the case may be.

(5)[14] Where the General Secretary receives a police request, or a police request record from a Director of Professional Standards, the General Secretary shall not notify the member of the clergy or lay person of the entry of Information in the National Register relating to that person until the sooner of the expiration of six months after the receipt of the police request or the receipt of a withdrawal of the police request, or a withdrawal of the police request record from a Director of Professional Standards, as the case may be.

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10 Amended by Canon 9, 2014.
11 Added by Canon 9, 2014.
12 Added by Canon 9, 2014.
13 Added by Canon 9, 2014.
14 Added by Canon 9, 2014.

Removal of Information in the National Register

10.[15] (1) A Director of Professional Standards shall notify the General Secretary as soon as practicable after becoming aware that a notifiable complaint or a notifiable charge against a member of clergy or a lay person has been exhausted.

(2) Where notification is received from the applicable Director of Professional Standards that a notifiable complaint or notifiable charge against a member of the clergy or a lay person has been exhausted, the General Secretary shall, as soon as practicable and no later than one month after receipt of the notification, remove Information in the National Register relating to that notifiable complaint or notifiable charge and notify:

(a)[16] the member of the clergy or lay person concerned of the removal of that Information by written notification sent to his or her postal or electronic address where that address is known and reasonably believed to be used by the member of clergy or the lay person; and

(b) each authorised person who has had access to that Information, other than the person or persons in subsections 11(d) and (e), of the removal of that Information, by written notification.

(3) Each authorised person referred to in subsection (2)(b), shall, as soon as practicable and no later than one month after the receipt of the notification referred to in that subsection, forward a copy of that notification to each Church authority to whom the authorised person has disclosed the Information.

(4) Where notification is received from the applicable Director of Professional Standards that a member of the clergy or a lay person relating to whom there is Information in the National Register has died, the General Secretary shall, as soon as practicable and no later than one month after receipt of the notification, remove Information in the National Register relating to that member of the clergy or lay person.

Access to and disclosure of Information in the National Register

11. Access to and disclosure of Information in the National Register shall, subject to sections 12 and 13, be limited to the following authorised persons:

(a) a diocesan bishop or delegate;

(b) the Bishop to the Defence Force or delegate;

(c) a Director of Professional Standards;

(d) the General Secretary;

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15 Amended by Canon 13, 2010.

16 Amended by Canon 11, 2022.

(e) any person within the General Synod Office whose duties include assisting the General Secretary in maintaining the National Register; and

(f) such other persons as may be determined by the Standing Committee by a two-thirds majority;

who agree to abide by the protocols under this Canon approved by the General Synod, or the Standing Committee by a two-thirds majority.

Entitlement to ascertain the existence and obtain a copy of any Information in the National Register

12.[17] The General Secretary, on application by a person to ascertain whether there is any Information, and if so to obtain a copy of the Information, in the National Register relating to that person, shall , other than in respect of Information which is the subject of a police request, notify the person whether there is any such Information, and if so provide a copy of that Information to that person, in accordance with a protocol approved by the General Synod, or the Standing Committee by a two-thirds majority.

Entitlement to ascertain details of access to Information in the National Register

13. The General Secretary, on application by a person to ascertain whether there has been access to any Information in the National Register relating to that person by an authorised person, shall notify the person whether there has been any such access, and if so provide details of that access to that person, in accordance with a protocol approved by the General Synod, or the Standing Committee by a two-thirds majority.

Amendment of Information in the National Register

14. (1) The General Secretary, on application by a person to amend the Information in the National Register relating to that person, shall:

(a) amend the Information in the National Register relating to that person, or

(b) include a statement of the person in the National Register,

subject to any limitation on the length of any amendment or statement determined by the Standing Committee, in accordance with a protocol approved by the General Synod, or the Standing Committee by a two-thirds majority.

(2) The General Secretary shall, as soon as practicable and no later than one month after making the amendment or including the statement referred to in subsection (1), notify by written notification each authorised person who has had access to that Information, other than the person or persons in subsections 11(d) and (e), of the making of that amendment or the inclusion of that statement.

(3) Each authorised person referred to in subsection (2) shall, as soon as practicable and no later than one month after the receipt of the notification referred to in subsection (2), forward a copy of that notification to each Church authority to whom the authorised person has disclosed the Information.

17 Amended by Canon 9, 2014.

Annual report and audit

15. (1) The General Secretary shall, as soon as practicable after the end of each calendar year, provide a report as to the operation of the National Register to the Standing Committee for that year containing such information as the Standing Committee may determine.

(2) The Standing Committee shall:

(a) determine the scope of an audit of the operation of the National Register to verify compliance with this Canon and the protocols under this Canon; and

(b) [18] appoint an independent person to undertake an audit of the operation of the National Register for each calendar year and provide a report to the Standing Committee as soon as practicable after the end of that year.

(3)[19] Each diocese shall provide access to such of its records and provide such information as requested by the independent person undertaking the audit as is reasonably necessary to enable the audit to be undertaken.

(4)[20] The General Secretary shall, as soon as practicable after the report of the audit has been provided to the Standing Committee, publish the report on the General Synod website.

Protocols

16. The Standing Committee by a two-thirds majority may revise any protocol or make any additional protocol under this Canon where it is necessary or convenient to carry out or give effect to this Canon.

Report to the General Synod

17. The Standing Committee shall prepare a report on the operation of this Canon for each ordinary session of the General Synod which shall include:

(a) any protocol under this Canon which the Standing Committee has approved or revised, and

(b) any other decision under this Canon which the Standing Committee has made,

since the last ordinary session of the General Synod.

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18 Amended by Canon 10, 2017.
19 Added by Canon 10, 2017.
20 Added by Canon 10, 2017.

Coming into force of particular provisions

18. (1) Paragraphs (a), (b), (c) and (f) of section 11 of this Canon shall not come into force until 1 March 2008.

(2) The provisions of this Canon relating to the Episcopal Standards Board shall not come into force in a diocese unless and until the diocese adopts the Episcopal Standards Canon 2007 by ordinance of the synod of the diocese.

Repeal of the National Register Canon 2004

19. The National Register Canon 2004 is hereby repealed.

THE FIRST SCHEDULE - INFORMATION ABOUT CLERGY

1. Full name.

2. Date of birth.

3. Gender.

4. Last known postal and electronic address, and telephone numbers.

5. Date of ordination as a deacon and name of the diocese in which ordained.

6. Date of ordination as a priest and name of the diocese in which ordained.

7. Date of consecration as a bishop and name of the diocese in which consecrated.

8.[21] Particulars of any current licence or authorisation to function, and any past licence or authorisation to function if available, including the diocese for which the licence or authorisation to function is or was held.

9. Particulars of any current appointment, and any past appointment if available, including the Church authority by which the appointment was made, and the diocese in which the appointment is or was held.

10. Date of a notifiable complaint, and date or period and category of the alleged sexual misconduct or child abuse.

11. Date and reason the Investigator refrained from investigating a notifiable complaint.

12. Date of recommendation by the Investigator to the Church authority of a suspension from duties, office or an appointment by a Church body, or of a prohibition order, arising out of a notifiable complaint.

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[21] Amended by Canon 11, 2022.

13. Date of reference of a notifiable complaint to a Determiner.

14. Date and particulars of a determination or recommendation of a Determiner relating to a notifiable complaint.

15. Date and particulars of any disciplinary action taken arising out of a notifiable complaint.

16. Date and particulars of any relinquishment of Holy Orders arising out of sexual misconduct or child abuse.

17. Date and particulars of any consent deposition from Holy Orders arising out of sexual misconduct or child abuse.

18.[22] Date, applicable jurisdiction and particulars of any adverse check.

19. Date, applicable jurisdiction and particulars of any adverse criminal history check.

20. Date, applicable diocese and particulars of any adverse Safe Ministry Check.

21.[23] Name of the bishop or bishops and date of any decision by the bishop not to ordain the person as a priest or to issue a licence or authorisation to function to the person or any refusal by the bishops to consecrate the person as a bishop because of an adverse risk assessment.

22. Name of the Church authority and date of any refusal by the Church authority to appoint the person because of an adverse risk assessment.

23.[24] Date, applicable jurisdiction and particulars of a notifiable charge.

24.[25] Date, applicable jurisdiction and particulars of an adverse admission.

25.[26] Date, applicable jurisdiction and particulars of an adverse finding.

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22 Amended by Canon 10, 2017.
23 Amended by Canon 11, 2022.
24 Added by Canon 13, 2010.
25 Added by Canon 13, 2010.
26 Added by Canon 13, 2010.

THE SECOND SCHEDULE - INFORMATION ABOUT LAY PERSONS

1. Full name.

2. Date of birth.

3. Gender.

4. Last known postal and electronic address, and telephone numbers.

5.[27] Particulars of any current licence or permission to function, and any past licence or permission to function if available, including the diocese for which the licence or permission to function is or was held.

6. Particulars of any current appointment, and any past appointment if available, including the Church authority by which the appointment was made, and the diocese in which the appointment is or was held.

7. Date of a notifiable complaint, and date or period and category of the alleged sexual misconduct or child abuse.

8. Date and reason the Investigator refrained from investigating a notifiable complaint.

9. Date of recommendation by the Investigator to the Church authority of a suspension from duties, office or an appointment by a Church body, or of a prohibition order, arising out of a notifiable complaint.

10. Date of reference of a notifiable complaint to a Determiner.

11. Date and particulars of a determination or recommendation of a Determiner arising out of a notifiable complaint.

12. Date and particulars of any disciplinary action taken arising out of a notifiable complaint.

13.[28] Date, applicable jurisdiction and particulars of any adverse check.

14. Date, applicable jurisdiction and particulars of any adverse criminal history check.

15. Date, applicable diocese and particulars of any adverse Safe Ministry Check.

16.[29] Name of the bishop and the date of any decision by the bishop not to ordain the person as a deacon or to issue a licence or permission to function to the person because of an adverse risk assessment.

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27 Amended by Canon 11, 2022.
28 Amended by Canon 10, 2017.
29 Amended by Canon 11, 2022.

17. Name of the Church authority and date of any refusal by the Church authority to appoint the person because of an adverse risk assessment.

18.[30] Date, applicable jurisdiction and particulars of a notifiable charge.

19.[31] Date, applicable jurisdiction and particulars of an adverse admission.

20.[32] Date, applicable jurisdiction and particulars of an adverse finding.

THE THIRD SCHEDULE – DICTIONARY

In this Canon, and protocols approved under this Canon, unless the context otherwise requires:

adverse admission[33] means an admission by a person of conduct occurring within or outside of Australia:

(a) in proceedings before a court or tribunal within or outside of Australia;

(b) to a Church authority; or

(c) to a Director of Professional Standards;

which is made or recorded in writing and which a Director of Professional Standards certifies constitutes sexual misconduct or child abuse by that person;

adverse check[34] means the cancellation, revocation, suspension of, and refusal to issue, a statutory clearance on account of known of suspected child abuse or sexual misconduct;

adverse criminal history check means a criminal history check of a person provided under legislation of the Commonwealth, a State or Territory, or another country disclosing the commission of a criminal offence by that person which a Director of Professional Standards certifies arises out of sexual misconduct or child abuse by that person;

adverse finding[35] means:

(a) the conviction of a person of a criminal offence;

(b) the finding that a person is guilty of a criminal offence without proceeding to a conviction; or

30 Added by Canon 13, 2010.
31 Added by Canon 13, 2010.
32 Added by Canon 13, 2010.
33 Added by Canon 13, 2010.
34 Added by Canon 10, 2017; amended by Canon 11, 2022.
35 Added by Canon 13, 2010.

(c) a finding against a person;

by a court or tribunal within or outside of Australia, which a Director of Professional Standards certifies constitutes sexual misconduct or child abuse by that person;

adverse risk assessment[36] means an assessment that a person is unsuitable for ordination or the issue of a an authorisation to function or an appointment:

(a) made by or on behalf of a Church authority on the grounds of; or

(b) certified by a Director of Professional Standards to arise out of; the risk of sexual misconduct or child abuse by that person;

adverse Safe Ministry Check means a Safe Ministry Check of a person disclosing sexual misconduct or child abuse or the risk of sexual misconduct or child abuse by that person;

Appellate Tribunal means the Appellate Tribunal established in accordance with the provisions of Chapter IX of the Constitution;

appointment includes employment;

authorisation to function[37] means a licence or any written instrument by which a member of the clergy is appointed, authorised, permitted or sanctioned to exercise ministry as a member of the clergy and **authorising to function** and **authorised to function** have a corresponding meaning;

authorised person means a person referred to in section 11;

bullying[38] means behaviour directed to a person which:

(a) is repeated;

(b) is unreasonable (being behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening); and

(c) creates a risk to the person's health and safety;

caution[39] means a notice that Information of which a Director of Professional Standards is aware and to which he or she has access in carrying out his or her responsibilities has not been entered in the National Register within the time specified in section 8(1);

…[40]

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36 Amended by Canon 11, 2022.
37 Added by Canon 11, 2022.
38 Added by Canon 13, 2010; amended by Canon 10, 2017.
39 Added by Canon 13, 2010.
40 Definition of 'child' repealed by Canon 7, 2022 and Canon 8, 2022 which came into effect on 10 March 2025.

child abuse[41] means:

(a) Conduct constituting:

(i) bullying a child; or

(ii) emotional abuse of a child; or

(iii) neglect of a child; or

(iv) physical abuse of a child; or

(v) sexual assault, sexual exploitation, sexual harassment or grooming of a child, or sexually inappropriate behaviour towards a child;

(vi) spiritual abuse of a child; or

(vii) image-based abuse;

(viii) causing a child to witness, hear or otherwise be exposed to domestic and family violence;

(ix) a failure without reasonable excuse to comply with the laws of the Commonwealth, a State or Territory or against the law of another country which is equivalent to a criminal offence against the law of the Commonwealth, a State or a Territory, requiring the reporting of child abuse to the police or other authority; or

(x) a failure without reasonable excuse to report conduct referred to in this definition as required by a Canon of the General Synod or of an ordinance of a provincial synod or a diocesan synod;

(b) possessing, producing or distributing material (including any film, printed matter, electronic data, computer image or other depiction) that describes or depicts a person who is or who appears to be a child—

(i) engaged in sexual activity; or

(ii) in a sexual context; or

(iii) as the subject of torture, cruelty or abuse (whether or not in a sexual context) in a way that a reasonable person would regard as being, in all the circumstances, offensive—

in circumstances that have been found to constitute, or may constitute, a criminal offence.

child abuse reporting offence[42] means a criminal offence against the law of the Commonwealth, a State or a Territory, or against the law of another country which is equivalent to a criminal offence against the law of the Commonwealth, a State or a Territory, involving the failure by a person to report child abuse;

41 Amended by Canon 7, 2026.

42 Added by Canon 11, 2022.

child exploitation material[43] means material that describes or depicts a person who is or who appears to be a child:

(a) engaged in sexual activity; or

(b) in a sexual context; or

(c) as the subject of torture, cruelty or abuse (whether or not in a sexual context) in a way that a reasonable person would regard as being, in all the circumstances, offensive. Child exploitation material can include any film, printed matter, electronic data, computer image or any other depiction;

[44]****

Church authority[45] means a diocesan bishop or a person or body having authority to ordain, authorise to function, permit to function, license, elect, appoint, dismiss or suspend a member of the clergy or a lay person;

Church body[46] means any body corporate, organisation or association that exercises ministry within, or on behalf of, or in the name of, the Church, and is controlled by a diocese or province or the General Synod;

church worker means a lay person:

(a)[47] who is or was permitted to function by the bishop of a diocese; or

(b) who is or was employed by a Church body[48]; or

(c)[49] who, for payment or not, holds or has held a position or performs a function with the actual or apparent authority of a Church authority or Church body, including an office, position or function:

(i) of leadership in a parish, diocese or General Synod body; and

(ii) as a member of the General Synod or a diocesan synod; and

(iii)[50] as a member of a body controlled by a diocese or province or the General Synod; and

(iv) as a churchwarden, member of any parish council or member of any committee constituted by or by the authority of the General Synod, a diocesan synod or a parish council;

clergy means a person who is or has been a bishop, priest or deacon in this Church, but does not include a deceased person;

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43 Added by Canon 9, 2014.
44 Definition 'child offence' deleted by Canon 11, 2022.
45 Amended by Canon 11, 2022.
46 Amended by Canon 13, 2010; amended by Canon 10, 2017.
47 Amended by Canon 11, 2022.
48 Amended by Canon 13, 2010.
49 Amended by Canon 13, 2010.
50 Amended by Canon 10, 2017.

Controlled by a diocese or province or the General Synod[51] means that the majority of the members of the body with management responsibility is elected or appointed:

(a) in the case of a diocese, under an ordinance of the diocese, or under the constitution of the Church body by one or more of the bishop, the diocesan synod and the diocesan council;

(b) in the case of a province, under an ordinance of the province, or under the constitution of the Church body by one or more of the metropolitan, the provincial synod and the provincial council;

(c) in the case of the General Synod, under a canon of the General Synod, or under the constitution of the Church body by one of more of the Primate, the General Synod and the Standing Committee;

court or tribunal[52] means, in relation to an adverse finding or an adverse admission, a court or tribunal which has jurisdiction:

(a) to make the adverse finding, or

(b) to make an adverse finding in relation to the conduct which is subject to the adverse admission;

Defence Force Representative means the Bishop to the Defence Force or delegate or the Director of Professional Standards of the Defence Force or their successors in office;

Determiner means:

(a) the person or body in a diocese having power to make findings or recommendations relating to the conduct of clergy or church workers; or

(b) the Special Tribunal; or

(c) the Episcopal Standards Board; or

(d) the Appellate Tribunal; or

(e) any other person or body determining an appeal from a person or body having power to make findings or recommendations relating to the conduct of clergy or church workers;

diocesan bishop means the bishop of a diocese, or in the absence of the bishop the commissary appointed by the bishop, or in the time of a vacancy in the see the administrator of the diocese or their successors in office;

Diocesan Representative means the diocesan bishop or delegate or the Director of Professional Standards of the diocese;

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51 Added by Canon 10, 2017.

52 Added by Canon 13, 2010.

Director of the Episcopal Standards Commission means:

(a) the Director of the Episcopal Standards Commission appointed under the Special Tribunal Canon 2007; or

(b) a person acting in that office;

Director of Professional Standards means:

(a) the Director of Professional Standards of a diocese or the Defence Force or his or her successor in office; or

(b) the person who carries out the functions of a Director of Professional Standards in a diocese or the Defence Force or his or her successor in office; or

(c) the person who works in conjunction with the Investigator; or

(d) the Director of the Episcopal Standards Commission or his or her successor in office; or

(e) a person acting in such an office;

emotional abuse means acts or omissions in relation to a child where the child has suffered, or is likely to suffer, significant harm to his or her wellbeing or development;

Episcopal Standards Board means the Episcopal Standards Board constituted under the Episcopal Standards Canon 2007;

Episcopal Standards Commission means the Episcopal Standards Commission constituted under the Special Tribunal Canon 2007;

Exempt Information[53] means Information relating to a notifiable complaint or a notifiable charge, where the notifiable complaint or the notifiable charge has been exhausted;

exhausted[54] means a notifiable complaint or a notifiable charge which:

(a) has been withdrawn; or

(b) has been determined to be false, vexatious or misconceived; or

(c) is one where a Determiner finds that it is more likely than not that the subject matter of the complaint did not occur; or

(d) is one where a court or tribunal finds that it is more likely than not that the subject matter of the charge did not occur;

53 Amended by Canon 13, 2010.
54 Amended by Canon 13, 2010.

Failure without reasonable excuse to report child abuse[55] means the 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;

General Secretary means:

(a) the General Secretary of the General Synod or his or her successor in office; or

(b) a person acting in that office;

grooming[56] means conduct deliberately undertaken with the aim of engaging and influencing a person for the purpose of sexual activity;

image-based abuse[57] means taking, distributing or threatening to distribute intimate, nude or sexual images of another person in circumstances that have been found to constitute, or may constitute, a criminal offence;

independent person[58] means a person who

(a) is not a member of the clergy; or church worker; and

(b) has experience in undertaking audits of a similar nature to an audit of the operation of the National Register;

Information[59] means the matters other than Exempt Information, whether occurring before or after this Canon came into force:

(a) relating to clergy specified in section 5(1):

(i)[60] which are referred to in the First Schedule so far as they are known; and

(ii) which, as to any additional matters, are determined by the Standing Committee; or

(b) relating to lay persons specified in section 6(1):

(i)[61] which are referred to in the Second Schedule so far as they are known; and

(ii) which, as to any additional matters, are determined by the Standing Committee;

Investigator means the person or body in a diocese having power to investigate or cause to be investigated the conduct of clergy or lay persons or the Episcopal Standards Commission;

lay person means a person who has not been ordained, but does not include a deceased person;

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55 Added by Canon 10, 2017.
56 Added by Canon 10, 2017.
57 Added by Canon 11, 2022.
58 Added by Canon 10, 2017.
59 Amended by Canon 13, 2010.
60 Amended by Canon 11, 2022.
61 Amended by Canon 11, 2022.

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National Register means the National Professional Standards Register referred to in section 4;

neglect means the neglect of a child where the child has suffered, or is likely to suffer, significant harm to his or her wellbeing or development;

notifiable charge[63] means the charge of a person of:

(a) the commission of a criminal offence; or

(b) the engagement in professional misconduct; occurring within or outside of Australia, which a Director of Professional Standards certifies arises out of alleged sexual misconduct or child abuse by that person;

notifiable complaint means a complaint in accordance with the relevant canon, ordinance, rule or protocol received by a Director of Professional Standards of sexual misconduct or child abuse by a member of the clergy or a lay person, whenever and wherever occurring:

(a) which has been communicated to the member of the clergy or lay person; or

(b)[64] which the Director of Professional Standards has certified has been sent to the postal or electronic address of the member of clergy or lay person that is known or has not been sent to the member of clergy or lay person because neither their postal nor their electronic address is known; or

(c)[65] which is the subject of a police request;

permission to function[66] means a licence or any written instrument by which a person who is not a member of the clergy is appointed, authorised, permitted or sanctioned to exercise ministry and **permitting to function** and **permitted to function** have a corresponding meaning;

physical abuse means the physical assault of a child other than lawful discipline by a parent or guardian;

police request[67] means:

(a) a request made orally or in writing by an officer of a police service that a member of the clergy or lay person not be notified of Information relating to that person; or

(b) a further request or further requests up to a maximum of three further requests, each made before the expiry of the request or immediately preceding further request orally or in writing by an officer of a police service that a member of the clergy or lay person not be notified of the Information referred to in paragraph (a); or

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62 Definition of 'licence' repealed by Canon 11, 2022.
63 Added by Canon 13, 2010.
64 Amended by Canon 11, 2022.
65 Added by Canon 9, 2014.
66 Added by Canon 11, 2022.
67 Added by Canon 9, 2014.

(c) a further request made before the expiry of a third further request referred to in paragraph (b) or any further requests after that, but made before the expiry of the immediately preceding further request, orally or in writing by an officer of a police service that a member of the clergy or lay person not be notified of the Information referred to in paragraph (a), but only when the General Secretary is satisfied that, for special or exceptional reasons, the further requests should have effect under subsection 9(5).

police request record[68] means a written record containing the name of the officer of the police service making a police request and his or her police service, the date of the making of the police request, the medium by which the police request is made, and the Information the subject of the police request;

police service[69] means the Australian Federal Police or the police service of a State or Territory of Australia;

professional standards role means a role undertaken as part of the professional standards policies and procedures and includes the role of a contact person, support person, Investigator and Determiner;

prohibition order means an order prohibiting a member of the clergy or a church worker from holding a specified position or office in or being appointed by a Church body or Church authority or from carrying out any specified functions in relation to any office or position in the diocese or in relation to any appointment by a Church body;

Safe Ministry Check means the questionnaire for the selection of ordination candidates, for the screening of clergy, and for the screening of church workers who have contact with children in his or her ministry, in use in a diocese or the Defence Force;

sexual assault[70] means any intentional or reckless act, use of force or threat to use force involving some form of sexual activity against a person;

(a) without their consent: or

(b) with their consent in circumstances where consent is not a defence to such conduct under the applicable laws:

  (i) of the Commonwealth, a State or Territory; or

  (ii) another country where those law are of a substantially similar nature to a law of the Commonwealth, a State or Territory which provides that consent is not a defence to such conduct;

sexual exploitation[71] means any form of sexual contact or invitation to sexual contact with a person, with whom there is a professional or pastoral or supervisory relationship, regardless of who initiated the contact, but does not include such contact or invitation within a marriage;

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68 Added by Canon 9, 2014.
69 Added by Canon 9, 2014.
70 Added by Canon 10, 2017.
71 Added by Canon 13, 2010; amended by Canon 10, 2017.

sexual harassment[72] means:

(a) an unwelcome sexual advance, or an unwelcome request for sexual favours, by a person to another person, or

(b) other unwelcome conduct of a sexual nature by a person in relation to another person,

whether intended or not, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated;

sexually inappropriate behaviour[73] means conduct of a sexual nature, other than sexual assault, sexual exploitation, sexual harassment, grooming, or image-based abuse, which is inconsistent with the standards of sexual conduct applicable to clergy or church workers;

sexual misconduct[74] means the following conduct in relation to an adult:

(a) sexual assault; or

(b) sexual exploitation; or

(c) sexual harassment; or

(d) sexually inappropriate behaviour; or

(e) grooming;

Special Tribunal means the Special Tribunal established in accordance with the provisions of Chapter IX of the Constitution;

spiritual abuse means the mistreatment of a child by actions or threats when justified by appeal to God, faith or religion where the child has suffered, or is likely to suffer, significant harm to his or her wellbeing or development;

Standing Committee means the Standing Committee of General Synod;

statutory clearance[75] means—

(a) a working with children check; or

(b) a working with vulnerable people check by reason that the person has contact with a child as part of engaging in a regulated activity—

under the laws of the Commonwealth or of a State or Territory;

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72 Added by Canon 10, 2017.
73 Added by Canon 10, 2017; amended by Canon 11, 2022.
74 Amended by Canon 13, 2010 and Canon 10, 2017.
75 Added by Canon 11, 2022.

withdrawal of the police request[76] means a notification made orally or in writing by an officer of the police service concerned that it withdraws the police request relating to a member of the clergy or lay person;

withdrawal of the police request record[77] means a written record containing the name of the officer of the police service making a withdrawal of the police request and his or her police service, the date of the making of the withdrawal of the police request, the medium by which the withdrawal of the police request is made, and the Information the subject of the withdrawal of the police request.

withdrawn in relation to a notifiable complaint includes the circumstance in which a Director of Professional Standards certifies that the person making the complaint has failed without reasonable excuse to comply with the relevant canon, ordinance, rule or protocol under which the complaint has been made;

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76 Added by Canon 9, 2014.
77 Added by Canon 9, 2014.
78 Definition 'working with children check' deleted by Canon 11, 2022.
79 Definition 'working with vulnerable people check' deleted by Canon 11, 2022.

PROTOCOL FOR PROVISION OF INFORMATION FOR INCLUSION IN THE NATIONAL REGISTER 2007

Title

1. The Protocol may be cited as the "Protocol for provision of Information for inclusion in the National Register 2007".

Definitions

2. The words and expressions used in this Protocol have the same meaning as in the National Register Canon 2007.

Entry of Information by the Director of Professional Standards[1]

3.[2] A Director of Professional Standards who is required to enter information in the National Register relating to any member of the clergy or lay person shall do so by entering information electronically on the National Register and satisfying themselves that the Information is accurate.

3A.[3] [deleted]

Accuracy and completeness of Information[4]

4.[5] The Director of Professional Standards, whenever satisfied that Information on the National Register is inaccurate or incomplete, shall amend the Information to ensure its accuracy and completeness.

5.[6] [deleted]

6. [deleted]

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1 Amended at the Seventeenth Session of General Synod 6 September 2017.

2 Amended by General Synod Standing Committee Resolution SC2013/1/22; amended at the Seventeenth Session of General Synod 6 September 2017.

3 Added by General Synod Standing Committee Resolution SC2009/1/041; deleted by General Synod Standing Committee Resolution SC2013/1/22.

4 Added by SC2013/1/22; amended at the Seventeenth Session of General Synod 6 September 2017.

5 Amended by General Synod Standing Committee Resolution SC2009/1/041; amended by General Synod Standing Committee Resolution SC2013/1/22; amended at the Seventeenth Session of General Synod 6 September 2017.

6 Clauses 5 - 6 deleted by General Synod Standing Committee Resolution SC2013/1/22.

PROTOCOL FOR ACCESS TO AND DISCLOSURE OF INFORMATION IN THE NATIONAL REGISTER 2007

Part 1 General

Title

1. The Protocol may be cited as the "Protocol for access to and disclosure of Information in the National Register 2007".

Part 2 Access by authorised persons

Acknowledgment and agreement of authorised persons

2. The General Secretary must not allow an authorised person other than himself or herself to have any access to Information in the National Register unless he or she has received a signed document in the form of the acknowledgement and agreement at the end of this Schedule from the authorised person. The General Secretary must sign this form of acknowledgement and agreement before undertaking any responsibility under this Canon. The acknowledgment and agreement will remain in force unless withdrawn or the signatory ceases to be an authorised person.

Register of authorised persons

3. The General Secretary must maintain a register of the name, contact details, and the period of access to the National Register, of each authorised person.

Record of reason for access

4. Each time an authorised person has access to Information in the National Register relating to a member of the clergy or lay person (other than the General Secretary, or any person within the General Synod Office whose duties include assisting the General Secretary in maintaining the National Register), he or she must declare to the General Secretary the reason for the access, and the Church authority to which the Information will be disclosed.

Log of access by authorised persons

5. The General Secretary must maintain a log of each access recording the name of the authorised person and the member of the clergy or lay person, the details on the declaration relating to the access, and the date of access.

Access by and disclosure to third parties under compulsion of law

6. Subject to this Protocol, an authorised person may only give access to, and disclose, Information in the National Register relating to a member of the clergy or lay person to a person if compelled by law to do so.

Non-disclosure of information where there is a police request

6A.[1] An authorised person who has access to Information in the National Register in respect of which there is a notation of a police request must not disclose the existence or substance of the Information to the person to whom the Information relates.

Part 3 Access and disclosure by a Diocesan Representative

Ordination, the issue of a licence or appointment to a position within the diocese

7. Where a Church authority proposes to ordain, or issue a licence to, or to appoint to a position within the diocese, a member of the clergy or lay person, the Diocesan Representative, where required to by the procedures of the Church authority, is authorised to have access to any Information in the National Register relating to the member of the clergy or lay person and disclose whether there is any such, and if so what, Information to the Church authority.

Application for ordination, the issue of a licence or appointment to a position within the diocese

8. Where a member of the clergy or lay person applies for ordination, or the issue of a licence, or appointment to a position within the diocese, the Diocesan Representative, where required to by the procedures of the Church authority, is authorised to have access to any Information in the National Register relating to the member of the clergy or lay person and disclose whether there is any such, and if so what, Information to the Church authority.

Invitation to apply for ordination, the issue of a licence or appointment to a position within the diocese

9. Where a Church authority invites a member of the clergy or lay person to apply for ordination, or the issue of a licence, or appointment to a position within the diocese, and the member of the clergy or lay person expresses interest in making an application, the Diocesan Representative, where required to by the procedures of the Church authority, is authorised to have access to any Information in the National Register relating to the member of the clergy or lay person and disclose whether there is any such, and if so what, Information to the Church authority.

Part 4 Access and disclosure by the Defence Force Representative

10. The Defence Force Representative, where required to by the Primate or the Bishop to the Defence Force, is authorised to have access to and disclose any Information in the National Register relating to a member of the clergy or lay person in the same circumstances as a Diocesan Representative.

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1 Added at the Sixteenth Session of General Synod 1 July 2014.

Part 5 Access and disclosure by a Director of Professional Standards

Abuse and allegations of abuse

11. Where a Director of Professional Standards receives information relating to sexual misconduct or child abuse or alleged sexual misconduct or child abuse by a member of the clergy or a lay person, he or she is authorised to have access to any Information in the National Register relating to the member of the clergy or lay person. The Director of Professional Standards is authorised to disclose whether there is any such, and if so what, Information to an Investigator, Determiner or other applicable Church authority.

Appointment of persons to professional standards roles

12. Where a Church authority proposes to appoint a member of the clergy or lay person to or in a professional standards role, and the member of the clergy or lay person has expressed interest in accepting the appointment, the Director of Professional Standards, where required by the relevant procedures for the appointment of persons to professional standards roles, is authorised to have access to any Information in the National Register relating to the member of the clergy or lay person. The Director of Professional Standards is authorised to disclose whether there is any such, and if so what, Information to the person expressing interest in the appointment, and the Church authority.

Election of bishop

13.[2] Where a member of the clergy accepts nomination, or expresses interest in accepting nomination, for appointment as a bishop, or has been so nominated and consents to a search of the National Register for Information relating to the nominee, the Director of Professional Standards, where required to by the procedures of the diocese for the election of a bishop, is authorised to have access to any Information in the National Register relating to the member of the clergy. The Director of Professional Standards is authorised to disclose whether there is any such, and if so what, Information to each member of the clergy accepting nomination or expressing interest in accepting nomination, and the Church authority or nomination committee.

Election of persons by a Church authority

14. Where a Church authority holds an election for which members of the clergy or lay persons are candidates, the Director of Professional Standards, where required to by the procedures of the diocese for the conduct of elections, is authorised to have access to any Information in the National Register relating to the candidates. The Director of Professional Standards is authorised to disclose whether there is any such, and if so what, Information to the candidates, and the Church authority.

[2] Amended by General Synod Standing Committee Resolution SC2010/1/54.

Consecration of bishop

15. Where a person in priest's orders is to be consecrated bishop:

    (a) the Director of Professional Standards of the diocese for or in respect of which the consecration is to take place; or

    (b) the Director of Episcopal Standards in any other case; is authorised to have access to any Information in the National Register relating to the person. The Director of Professional Standards is authorised to disclose whether there is any such, and if so what, Information to the person to be consecrated and the Metropolitan, Primate or other bishop as the case requires.

Disclosure to third parties where there is consent

16. A Director of Professional Standards is authorised to have access to any Information in the National Register relating to a member of the clergy or lay person and disclose in writing whether there is any such, and if so what, Information to a third party, where he or she has received the consent in writing of the member of the clergy or lay person. The Director of Professional Standards must take reasonable steps to check the postal or electronic address of the third party before sending a letter containing the disclosure to the third party at that address.

Disclosure to third parties where necessary to protect persons from the risk of abuse

17. A Director of Professional Standards is authorised to have access to any Information in the National Register relating to a member of the clergy or lay person and disclose that Information to a third party, where he or she reasonably believes that disclosure is necessary to protect the third party or any other person from the risk of abuse by the member of the clergy or lay person.

Part 6 Access and disclosure by the General Secretary

Election of the Primate

18. When an election is held for the Primate, each of the General Secretary and the Director of Episcopal Standards, where required to by the Primate Canon 1985, is authorised to have access to any Information in the National Register relating to the candidates and disclose whether there is any such, and if so what, Information to the candidates, and the Board of Electors.

Election and appointment of persons by the General Synod

19. Where the General Synod holds an election for which members of the clergy or lay persons are candidates, or proposes to appoint a member of the clergy or lay person to a position and the member of the clergy or lay person expresses interest in the appointment, the General Secretary, where required to by the procedures of the General Synod for the conduct of elections and making appointments, is authorized to have access to any Information in the National Register relating to the candidates or the member of the clergy or lay person and disclose whether there is any such, and if so what, Information to the candidates or persons expressing interest in the appointment, and the General Synod.

Election, appointment and nomination of persons by the Standing Committee[3]

20.[4] Where the Standing Committee holds an election for which members of the clergy or lay persons are candidates, or proposes to appoint or nominate a member of the clergy or lay person to a position or for election by the General Synod under rule 7(c)(1) and (2) of the Standing Orders and the member of the clergy or lay person expresses interest in the appointment or nomination, the General Secretary, where required to by the procedures of the Standing Committee for the conduct of elections and making appointments, is authorised to have access to any Information in the National Register relating to the candidates or the member of the clergy or lay person and disclose whether there is any such, and if so what, Information to the candidates or persons expressing interest in the appointment, and the Standing Committee.

Advice by the Standing Committee to the Primate regarding the appointment of members of a Reference Commission

20A.[5] Where the Primate seeks the advice of the Standing Committee regarding the appointment of a member of a Reference Commission under s 14 of the Strategic Issues, Commissions, Task Forces and Networks Canon 1998, and a person expresses interest in the appointment, the General Secretary, where required to by the procedures of the Standing Committee for giving advice regarding such an appointment, is authorised to have access to any Information in the National Register relating to the person and disclose whether there is any such, and if so what, Information to the person, and the Standing Committee.

Preparation of material for and submissions to the Royal Commission into Institutional Reponses to Child Sexual Abuse[6]

20B.[7] The General Secretary is authorised to have access to Information relating to child abuse and to disclose it in de-identified form to the Royal Commission Working Group and to any lawyer or other person retained on behalf of the General Synod for any purpose in connection with providing advice to the Primate, Dioceses and Anglican organisations with the preparation of material for and submissions to the Royal Commission into Institutional Reponses to Child Sexual Abuse.

Information for a Determiner

20C.[8] Where a request is received from or on behalf of a Determiner as to whether there is any Information in the National Register relating to a member of the clergy or lay person, the General Secretary is authorised to have access to the National Register and disclose whether there is any such, and if so what, Information therein to the Determiner.

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3 Amended by General Synod Standing Committee Resolution SC2017/02/47.

4 Amended by General Synod Standing Committee Resolution SC2017/02/47.

5 Added by General Synod Standing Committee Resolution SC2009/3/036; amended by General Synod Standing Committee Resolution SC2016/2/35.

6 Added by General Synod Standing Committee Resolution SC2016/2/30.

7 Added by General Synod Standing Committee Resolution SC2013/1/22.

8 Added by General Synod Standing Committee Resolution SC2016/2/30.

20D.[9] When the General Secretary receives an application for information about a church worker from a prescribed person, whether directly or through a diocesan authority or otherwise, within the meaning of the Disclosure of Information Canon 2017, the General Secretary is authorised to have access to any Information in the National Register relating to the church worker and disclose whether there is any such, and if so what, Information relating to the church worker to the prescribed person.

Certificate as to Information in the National Register

21. The General Secretary will provide to a member of the clergy or lay person, at his or her request, a certificate stating whether there is any, and if so what, Information in the National Register relating to the member of the clergy or lay person.

Part 6A Access and Disclosure by the Primate

Appointment of the General Secretary

21A.[10] Where the Standing Committee proposes to appoint the General Secretary (whether in a permanent or acting capacity), and a person expresses interest in the appointment, the Primate, where required to by the procedures of the Standing Committee for making such an appointment, is authorized to have access to any Information in the National Register relating to the person and disclose whether there is any such, and if so what, Information to the person, and the Standing Committee.

Part 7 Access by staff of the General Synod Office

22.[11] Any person within the General Synod Office whose duties include assisting the General Secretary in maintaining the National Register is authorised to have access to any Information in the National Register for the purposes of:

(a) providing assistance to another authorised person and carrying out any maintenance or enhancement of the National Register; and

(b) disclosing to a person duly authorised by the Bishop of a diocese to conduct an audit or other formal review of compliance by personnel of that diocese with duties under the National Register Canon 2007 and the protocols made thereunder subject to the person so authorised signing a confidentiality agreement in a form approved by the General Secretary.

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9 Added at the Seventeenth Session of General Synod 6 September 2017.
10 Added by General Synod Standing Committee Resolution SC2009/3/036.
11 Amended by General Synod Standing Committee Resolution SC2014/3/27.

Part 8 Disclosure to independent person for the purpose of audit under the Safe Ministry to Children Canon 2017 or equivalent ordinance of a diocese

23[12] Where a General Synod audit or a diocesan audit is undertaken under the Safe Ministry to Children Canon 2017 or an equivalent ordinance of a diocese and a Diocesan Representative, a Director of Professional Standards, the Defence Force Representative, the General Secretary or the Primate has been authorised to access and disclose Information in the National Register under this Protocol, they are also authorised to disclose that information to the independent person or person undertaking the audit under the equivalent ordinance of a diocese for the purposes of the person determining whether a national register assessment has occurred in relation to a member of clergy or layperson, on the condition that the person have signed a confidentiality agreement in a form approved by the General Secretary.

Acknowledgment and agreement

I (insert name), the (insert position and diocese if applicable) acknowledge that I have read the protocols approved under the National Register Canon 2007:

(a) Protocol for provision of Information for inclusion in the National Register 2007;

(b) Protocol for access to and disclosure of Information in the National Register 2007;

(c) Protocol to ascertain the details of any Information and access to that Information in the National Register 2007;

(d) Protocol for amendment of Information in the National Register 2007.

I agree to abide by these protocols, and not to disclose my password to any other person.

(Date)

(Signature)

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[12] Added by General Synod Standing Committee Resolution SC2020/2/41.

PROTOCOL TO ASCERTAIN DETAILS OF ANY INFORMATION AND ACCESS TO THAT INFORMATION IN THE NATIONAL REGISTER 2007

Title

1. The Protocol may be cited as the "Protocol to ascertain details of any Information and access to that Information in the National Register 2007".

Application to ascertain details of any Information and access to that Information in the National Register

2. A person applying:

   (a) to ascertain the existence and obtain a copy of any Information relating to himself or herself; or

   (b) to obtain details of any access to any Information relating to himself or herself by an authorized person;

   shall complete the form issued by the General Secretary in which is specified the postal or electronic address to which they General Secretary is to send the reply, and send the completed form to the General Secretary.

Notification of the details of any Information and access to that Information in the National Register

3. As soon as practical after receiving the application referred to in clause 2, the General Secretary shall, after being reasonably satisfied that the application is being made by the person specified therein, notify the person by written notification sent to his or her nominated postal or electronic address whether:

   (a) there is any Information in the National Register, and if so provide a copy of that Information; or

   (b) any authorised person has had access to any Information in the National Register relating to the person, and if so details of each declaration made by each authorised person under clause 4 of the Protocol for access to and disclosure of Information in the National Register 2007.

PROTOCOL FOR AMENDMENT OF INFORMATION IN THE NATIONAL REGISTER 2007

Title

1. The Protocol may be cited as the "Protocol for amendment of Information in the National Register 2007".

Application for amendment of Information in the National Register

2. A person making an application for the amendment of the Information in the National Register relating to himself or herself shall complete the form issued by the General Secretary, in which is specified:

   (a) the Information which is sought to be amended, and

   (b) the ground on which the amendment is sought, and

   (c) any evidence in support of the amendment, and

   (d) the corrected or additional Information that would be entered in the National Register, and the deleted Information that would be removed from the National Register, if the amendment were made, and

   send the completed form to the General Secretary.

Provision of the application to the Director of Professional Standards

3. As soon as practical after receiving the application referred to in clause 2, the General Secretary shall provide a copy of the application to the Director of Professional Standards who notified the General Secretary of the Information for inclusion in the National Register.

Review of the application by the Director of Professional Standards

4. As soon as practical, and no later than one month, after receiving a copy of the application referred to in clause 3 unless an extension of time is granted by the General Secretary, the Director of Professional Standards shall review the application and notify the General Secretary as to whether he or she agrees, disagrees or has insufficient information to be able to agree or disagree, with the proposed amendment.

Amendment of Information or inclusion of statement in the National Register

5. As soon as practical after receiving the notification of the Director of Professional Standards referred to in clause 4, the General Secretary, subject to the exclusion of irrelevant or scandalous matter, shall:

   (a) where the Director of Professional Standards agrees with the proposed amendment, make the amendment;

(b) where the Director of Professional Standards disagrees with the proposed amendment, include a statement containing the proposed amendment in the National Register with a notation that the Director of Professional Standards, who notified the General Secretary of the Information for inclusion in the National Register, disagrees with the proposed amendment;

(c) where the Director of Professional Standards has insufficient information to be able to agree or disagree with the proposed amendment, include a statement containing the proposed amendment in the National Register with a notation that the Director of Professional Standards, who notified the General Secretary of the Information for inclusion in the National Register, has insufficient information to be able to agree or disagree with the proposed amendment, and notify the person making the application of its outcome.

OATHS AFFIRMATIONS DECLARATIONS AND ASSENTS CANON 1992[1]

Canon 15, 1998[2]

A canon concerning Oaths Affirmations Declarations and Assents.

The General Synod prescribes as follows:

Short title

1. This canon may be cited as the "Oaths Affirmations Declarations and Assents Canon 1992

Oath or Affirmation of Canonical Obedience

2. An oath or affirmation of canonical obedience shall be taken by a member of the clergy on

   (a) ordination to the diaconate,

   (b) ordination to the priesthood,

   (c) first licensing of the member by the bishop of a diocese

      (i) that member not having been ordained to the diaconate or priesthood in the diocese, or

      (ii) following service by that member outside the diocese pursuant to the licence of another bishop, and

   (d) consecration as an assistant bishop

Form of Oath or Affirmation of Canonical Obedience

3. (1) Whenever an oath of canonical obedience is taken by a member of the clergy or laity the following form shall be used -

   "I ..... do swear that I will pay true and canonical obedience to ..... [the bishop of the diocese or where applicable the bishop of the diocese sponsoring an ordination] and the successors of that bishop in all things lawful and honest. So help me God!".

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1 See Appendix B.

2 This canon was passed provisionally as Canon P3, 1992.

(2) Whenever an affirmation of canonical obedience is taken by a member of the clergy or laity, the form in sub-section (1) shall be used but it shall be modified by –

(a) substituting for "swear" the phrase "solemnly and sincerely affirm"; and

(b) deleting the concluding sentence.

Declaration and Assent to Doctrine and Formularies

4. A declaration and assent to the doctrine and formularies of the Church shall be made by a member of the clergy on

(a) ordination to the diaconate,

(b) ordination to the priesthood,

(c) first licensing of the member by the bishop of a diocese

(i) that member not having been ordained to the diaconate or priesthood in the diocese, or

(ii) following service by that member outside the diocese pursuant to the licence of another bishop,

(d) consecration as an assistant bishop,

(e) consecration or installation as the bishop of a diocese,

and by a member of the laity on

(f) first licensing of that member by the bishop of a diocese.

Form of declaration and assent to doctrine and formularies

5. Whenever a declaration and assent to the doctrine and formularies of the Church is made by a member of the clergy the following form shall be used -

"**I..... firmly and sincerely believe the Catholic Faith and I give my assent to the doctrine of The Anglican Church of Australia as expressed in the Book of Common Prayer and the Ordering of Bishops, Priests and Deacons and the Articles of Religion, as acknowledged in section 4 of the Constitution, and I believe that doctrine to be agreeable to the word of God.**

I declare my assent to the Fundamental Declarations of The Anglican Church of Australia as set out in sections 1, 2 and 3 of the Constitution.

In public prayer and administration of the sacraments I will use the form prescribed in the Book of Common Prayer or a form authorised by lawful authority and none other."

Assent to Constitutions and Laws

6. An assent to the constitutions and laws of the Church shall be required of a member of the clergy on

(a) ordination to the diaconate,

(b) ordination to the priesthood,

(c) first licensing of the member by the bishop of a diocese

(i) that member not having been ordained to the diaconate or priesthood in the diocese, or

(ii) following service by that member outside the diocese pursuant to the licence of another bishop,

(d) consecration as an assistant bishop,

(e) consecration or installation as the bishop of a diocese,

and by a member of the laity on

(f) first licensing of that member by the bishop of the diocese.

Form of Assent to Constitutions and Laws

7. (1) Subject to sub-sections (2) and (3), whenever an assent to the constitutions and laws of the Church is made by a member of the clergy or the laity the following form shall be used -

"**I ..... do solemnly and sincerely declare my assent to be bound by the Constitution of the Anglican Church of Australia and the Constitution of the province of ..... and of this diocese and by the canons, statutes, ordinances and rules, however described, from time to time of the synod of this diocese and of the General Synod and the provincial synod (or council) which have force in this diocese**."

(2) The form prescribed in sub-section (1) may be varied by deleting provincial references in a diocese which is not within a province.

(3) In a diocese in which a provision of the constitution of the diocese which is in force and which was in force on 1 January 1998 prescribes a different form of assent the diocesan form may be used instead of the form in sub-section (1).

DIOCESAN PROVISION

8. (1) Nothing in this canon prevents the bishop or synod of a diocese requiring or providing for the use of any of the oaths, affirmations, declarations and assents referred to in this canon on occasions additional to those provided in this canon.

(2) Unless the bishop or synod of a diocese otherwise requires or provides, a person to be consecrated, ordained, instituted or licensed in this Church within the diocese is not required to take, make or subscribe to an oath, affirmation, declaration, assent or subscription not provided for or referred to in this canon.

Substantial Compliance

9. A deviation from the form of an oath, affirmation, declaration or assent prescribed in this canon which does not materially affect the substance shall be sufficient compliance with the requirements of this Canon.

Canon 36 of 1603 Repealed

10. Except to the extent that it requires a person to be licensed by the bishop of the diocese, the Canon numbered 36 of the Canons of 1603, insofar as it may have had any force either in its original form or as amended, shall have no operation or effect in a diocese which adopts this Canon.

Canon 7, 1973 Repealed

11. The Form of Declaration and Assent Canon 1973 is repealed.

Canon Affects Dioceses

12. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this Canon by ordinance.

OFFENCES CANON 1962

Canon 4, 1962 as amended by
Canon 7, 1981
Canon 12, 1992
Canon 20, 1998
Canon 5, 2007
Canon 7, 2017
Canon 11, 2022
Canon 7, 2026
Canon 8, 2026

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 authorised to function by the Diocesan bishop or is in holy orders resident in the diocese:

1. Unchastity.

2. Drunkenness.

3.[2] Habitual and wilful neglect of ministerial duty after written admonition in respect thereof by the Diocesan bishop.

4. Wilful failure to pay just debts.

5.[3] Conduct, whenever occurring, which would be disgraceful if committed by any member of the clergy.

6. Any other offence prescribed by an ordinance of the synod of the diocese.

7.[4] Child abuse.

[5]***

1 Amended by Canon 7, 1981; Canon 20, 1998; Canon 11, 2022; Canon 7, 2026.
2 Amended by Canon 7, 2026.
3 Amended by Canon 7, 2026.
4 Added by Canon 7, 2017.
5 Item 8 omitted by Canon 7, 2026.

9.[6] Authorising to function a member of the clergy or permitting to function a church worker contrary to, or in the absence of, a recommendation of a screening authority, or with actual knowledge or reasonable grounds for suspecting that the screening authority may not have properly discharged its statutory functions in making its relevant recommendation.

2.[7] The Special Tribunal in addition to its powers under section 56(6) of the constitution may hear and determine charges against a current Bishop made in respect of the following offences:

1. Unchastity.

2. Drunkenness.

3. Wilful failure to pay just debts.

4.[8] Conduct, whenever occurring, which would be disgraceful if committed by any person in episcopal orders.

4A.[9] Conduct occurring at any time since the commencement of this canon that is within the meaning of "examinable conduct" as defined in, and as the words and expressions used in that definition were defined in, the Episcopal Standards (Child Protection) Canon 2017 as enacted by the 17th General Synod and amended by Canon 11, 2022.

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.[10] Any conduct involving wilful and habitual disregard of their consecration vows.

7.[11] Child abuse.

7A.[12] In relation to a disciplinary or professional standards process where there is a charge or an allegation of child abuse—

(i) impeding or undermining that process;

(ii) failing without reasonable excuse to perform a duty or a function under that process; or

(iii) failing without reasonable excuse to exercise a power to initiate, or to investigate whether to initiate, that process.

[13]***

6 Added by Canon 11, 2022.
7 Amended by Canon 7, 1981; sub-section (2) repealed by Canon 12, 1992, amended by Canon 20, 1998; further amended by Canon 5, 2007, amended by Canon 7, 2017, amended by Canon 7, 2026.
8 Amended by Canon 7, 2026.
9 Added by Canon 8, 2026.
10 Amended by Canon 7, 2026.
11 Added by Canon 7, 2017.
12 Added by Canon 7, 2026.
13 Item 8 omitted by Canon 7, 2026.

9.[14] Failure to comply with the direction of a Board.

10.[15] Subject to section 60(2) of the Constitution, failure without reasonable excuse to give effect to a recommendation given to the person under or for the purposes of section 60(1) of the Constitution.

10A.[16] Failure without reasonable excuse to give effect to a recommendation given to the person by a Board.

11.[17] Ordaining or authorising to function a member of the clergy or permitting to function a church worker contrary to, or in the absence of, a recommendation of a screening authority, or with actual knowledge or reasonable grounds for suspecting that the screening authority may not have properly discharged its statutory functions in making its relevant recommendation.

12.[18] Ordaining or authorising to function a member of the clergy, or permitting to function a church worker, who poses a serious risk to the safety of children with actual knowledge or reasonable grounds for suspecting that the person poses that risk.

2A.[19] 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 current Bishop:

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.

2A.[20] Conduct occurring at any time since the commencement of this canon that is within the meaning of "examinable conduct" as defined in, and as the words and expressions used in that definition were defined in, the Episcopal Standards (Child Protection) Canon 2017 as enacted by the 17th General Synod and amended by Canon 11, 2022.

[21]***

5.[22] Subject to section 60(2) of the Constitution, failure without reasonable excuse to give effect to a recommendation given to the person under or for the purposes of section 60(1) of the Constitution.

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14 Added by Canon 7, 2017; Amended by Canon 7, 2026.
15 Added by Canon 11, 2022; Amended by Canon 7, 2026.
16 Added by Canon 7, 2026.
17 Added by Canon 11, 2022.
18 Added by Canon 11, 2022.
19 Added by Canon 7, 2017; Amended by Canon 7, 2026.
20 Added by Canon 8, 2026.
21 Items 3 and 4 omitted by Canon 7, 2026.
22 Added by Canon 11, 2022; Amended by Canon 7, 2026.

5A.[23] Failure without reasonable excuse to give effect to a recommendation given to the person by a Board.

6.[24] Ordaining or authorising to function a member of the clergy or permitting to function a church worker contrary to, or in the absence of, a recommendation of a screening authority, or with actual knowledge or reasonable grounds for suspecting that the screening authority may not have properly discharged its statutory functions in making its relevant recommendation.

7.[25] Ordaining or authorising to function a member of the clergy, or permitting to function a church worker, who poses a serious risk to the safety of children with actual knowledge or reasonable grounds for suspecting that the person poses that risk.

2B.[26] In this canon, unless the context otherwise requires—

actual knowledge[27] includes-

(a) wilfully shutting one's eyes to the obvious; or

(b) wilfully and recklessly failing to make such inquiries as an honest and reasonable person would make;

authorisation to function[28] means a licence or any written instrument by which a member of the clergy is appointed, authorised, permitted or sanctioned to exercise ministry as a member of the clergy and **authorising to function** and **authorised to function** have a corresponding meaning;

Bishop[29] means a bishop referred to in section 56(6) of the Constitution;

Board[30] means a body established by or under a Canon or by or under an ordinance of a provincial synod or diocesan synod for dealing with the fitness of a Bishop or other member of the clergy or a church worker to be or to remain in office, in Holy Orders or in some other ministry;

[31]***

child abuse[32] means:

(a) conduct constituting:

(i) bullying a child; or

(ii) emotional abuse of a child; or

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23 Added by Canon 7, 2026.
24 Added by Canon 11, 2022.
25 Added by Canon 11, 2022.
26 Added by Canon 7, 2017; Amended by Canon 7, 2026.
27 Added by Canon 11, 2022.
28 Added by Canon 11, 2022.
29 Added by Canon 7, 2026.
30 Added by Canon 7, 2026.
31 Definition of Child Added by Canon 11, 2022; Omitted by Canon 7, 2026.
32 Added by Canon 7, 2026.

(iii) neglect of a child; or

(iv) physical abuse of a child; or

(v) sexual assault, sexual exploitation, sexual harassment or grooming of a child, or sexually inappropriate behaviour towards a child;

(vi) spiritual abuse of a child; or

(vii) image-based abuse;

(viii) causing a child to witness, hear or otherwise be exposed to domestic and family violence;

(ix) a failure without reasonable excuse to comply with the laws of the Commonwealth, a State or Territory or against the law of another country which is equivalent to a criminal offence against the law of the Commonwealth, a State or a Territory, requiring the reporting of child abuse to the police or other authority; or

(x) a failure without reasonable excuse to report conduct referred to in this definition as required by a Canon of the General Synod or of an ordinance of a provincial synod or a diocesan synod;

(b) possessing, producing or distributing material (including any film, printed matter, electronic data, computer image or other depiction) that describes or depicts a person who is or who appears to be a child—

(i) engaged in sexual activity; or

(ii) in a sexual context; or

(iii) as the subject of torture, cruelty or abuse (whether or not in a sexual context) in a way that a reasonable person would regard as being, in all the circumstances, offensive—

in circumstances that have been found to constitute, or may constitute, a criminal offence.

church worker[33] means a person who is not a member of the clergy and who—

(a) is permitted to function by the Diocesan bishop;

(b) is employed by a Church body; or

(c) whether for payment or not, holds a position or performs a function with the actual or apparent authority of a Church authority or a Church body.

current Bishop[34] includes—

(a) a member of the House of Bishops; and

(b) a bishop assistant to the Primate in their capacity as Primate;

33 Added by Canon 11, 2022; Amended by Canon 7, 2026.

34 Added by Canon 7, 2026.

member of the clergy[35] means a person who is a bishop, priest or deacon in the Church.

permission to function[36] means a licence or any written instrument by which a person who is not a member of the clergy is appointed, authorised, permitted or sanctioned to exercise ministry and **permitting to function** and **permitted to function** have a corresponding meaning;

recommendation[37] includes a recommendation validly varied or modified pursuant to a diocesan ordinance;

standard of screening[38] means—

(a) in a diocese in which the Safe Ministry to Children Canon 2017 is in force, a standard of screening applying under Part 3 of that Canon; or

(b) in a diocese in which the Safe Ministry to Children Canon 2017 is not in force, the standard of screening applying in that diocese.

3. This canon may be cited as the "Offences Canon 1962".

4.[39] 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.

5.[40] The offences in Item 9 of section 1, Items 10, 11 and 12 of section 2 and Items 5, 6 and 7 of section 2A apply only to conduct occurring after Part 4 of the Safe Ministry Legislation Amendments Canon 2022 has been adopted in the diocese in which the offences allegedly have occurred.

6.[41] Since this canon first commenced a sexual offence relating to a child has always been disgraceful for the purposes of Item 5 in section 1 and Item 4 in section 2.

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35 Added by Canon 11, 2022.
36 Added by Canon 11, 2022.
37 Added by Canon 11, 2022.
38 Added by Canon 11, 2022.
39 Added by Canon 7, 2017.
40 Added by Canon 11, 2022.
41 Added by Canon 8, 2026.

ORDER OF DEACONESSES CANON 1969

Canon 7, 1969

A canon to regulate and promote the order of deaconesses.

Whereas Deaconesses have been licensed to perform pastoral and liturgical duties in parishes and in other fields of service recognised by the bishop or diocesan synod in many dioceses in this Church

And whereas it is desirable to regulate and promote their ministry

Now the General Synod prescribes as follows:

PART I: OF THE ORDER OF DEACONESSES

1. The Order of Deaconesses is an order of ministry in the Church of England in Australia to which women are admitted by prayer and the laying on of hands of the bishop. The Order is not one of the historic threefold Orders of the Church of England in Australia.

PART II: OF ADMISSION TO THE ORDER OF DEACONESSES

2. Every woman who, at the time of the coming into operation of this canon, has been admitted as a deaconess in any diocese by prayer and the laying on of hands of a bishop of this Church shall be deemed to be a deaconess within the meaning of this canon and every deaconess who has been or shall be admitted as a deaconess by prayer and the laying on of hands of a bishop of a church in full communion with this Church may be eligible for appointment as a deaconess in this Church.

3. Every woman admitted to the Order of Deaconesses shall be not less than twenty-three years of age, baptized, confirmed and a communicant of the Church of England in Australia.

4. Every woman who is to be admitted to the said Order shall first present to the bishop of the diocese:

   (a) a certificate signed by a person approved by the bishop that she has been nominated to exercise the office of deaconess within his diocese.

   (b) (i) her birth certificate or other evidence satisfactory to the bishop of the place and date of her birth.

   (ii) a certificate or other evidence of her baptism and confirmation.

(iii) the names and addresses of persons who are available to give evidence of her good life, of her conformity to the doctrine, discipline and worship of the Church of England in Australia, and of her fitness for the office of a deaconess.

(iv) a certificate signed by the officiating minister and one churchwarden of the church wherein she usually worships, that notice, in the form or to the effect of the form contained in the first schedule hereto was given in the said church at the same times as divine service on some Sunday at least one month before the day appointed for her admission to the said Order.

5. No woman shall be admitted to the said Order except she be found, on examination by the bishop or by competent persons appointed by him for this purpose, to possess a sufficient knowledge of Holy Scripture and of the doctrine, discipline and worship of the Church of England in Australia.

6. No woman shall be admitted to the said Order who is suffering or who has suffered from any physical or mental infirmity which, in the opinion of the bishop, will prevent her from exercising the office of a deaconess.

PART III: OF THE LICENSING OF DEACONESSES

7. No deaconess shall exercise her office in any diocese until she has been licensed so to do by the bishop thereof: Provided that when any Deaconess is to exercise her office temporarily in any diocese the written permission of the bishop shall suffice.

8. Every deaconess who is to be licensed to exercise her office in any diocese shall make and subscribe a declaration in the form set out in the second schedule hereto.

9. Every bishop, before licensing a deaconess to exercise her office in any place, shall satisfy himself that adequate provision has been made for her salary, for her insurance against sickness or accident, for her annual and long service leave and for her superannuation.

10. The bishop of every diocese shall keep a register book wherein shall be entered the names of every person whom he has either admitted to the Order of Deaconesses or licensed to exercise the office of a deaconess in the diocese.

PART IV: GENERAL

11. The provisions of this canon affect the order and good government of the Church within a diocese and shall not come into force unless and until the diocese by ordinance adopts it.

12. This canon may be cited as the "Order of Deaconesses Canon 1969."

FIRST SCHEDULE

NOTICE IS HEREBY GIVEN that ..... of this parish intends to offer herself as a candidate for admission to the Order of deaconesses by the Bishop of ..... at a service to be held in ..... on the ..... day of ..... 20 .....

If any person knows any just cause or impediment for which the said ..... ought not be admitted to the said Order, he is now to declare the same or signify the same forthwith to the bishop.

WE DO HEREBY CERTIFY that the above notice was publicly read in the Parish Church of ..... at ..... during the time of Divine Service on Sunday the ..... day of ....., 20 ...., and to our knowledge no impediment has been alleged.

Witness our hands this ..... day of ..... 20 .....

.....
Officiating Minister

.....
Churchwarden

SECOND SCHEDULE

DECLARATION

I, A.B., do solemnly declare that I will pay true and canonical obedience to the Bishop of ..... and his successors.

(Signed) .....

ORDINATION OF WOMEN TO THE OFFICE OF DEACON CANON 1985

Canon 18, 1985

A canon to provide for the ordination of women to the office of deacon and for other purposes.

The General Synod prescribes as follows:

1. The bishop of a diocese may ordain a woman to the office of deacon.

2. The bishop of a diocese may grant to any woman who has been ordained in Australia or elsewhere to the office of deacon a licence to perform the duties of a deacon in that diocese.

3. Notwithstanding any other law of the Church a woman may be admitted to the office of deacon in this Church in accordance with the form appropriate to that office set out in the Ordinal included in the Book of Common Prayer or in the Ordinal included in the Australian Prayer Book or in accordance with any other form appropriate to that office and approved for use in this Church, the language of any such form being adapted for the purpose so far as may be necessary for the admission of a woman to that office.

4. Nothing in section 1 or section 2 or section 3 shall limit any power or authority possessed by the bishop of a diocese prior to the making of this canon.

5. The provisions of this canon affect the order and good government of the Church within a diocese and shall not come into force in a diocese unless and until the diocese by ordinance adopts it.

6. This canon may be cited as "Ordination of Women to the Office of Deacon Canon 1985."

ORDINATION SERVICE FOR DEACONS CANON 1985

Canon 16, 1985

A canon to authorise the use of a form of service for the ordination of deacons.

The General Synod prescribes as follows:

1. This canon may be cited as "Ordination Service for Deacons Canon 1985."

2. The use by this Church of the form of service set out in the schedule in accordance with the rubrics incorporated therein, for the ordination of deacons, is authorised.

3. The admission of persons to an office of deacon in this Church in accordance with the service set out in the schedule is authorised.

4. Nothing in section 2 or 3 affects

   (a) the use of the Book of Common Prayer in accordance with the provisions of the Constitution; or

   (b) the use of An Australian Prayer Book 1978 in accordance with the Australian Prayer Book Canon 1977; or

   (c) the admission of a person to an office of bishop, priest or deacon in this Church as if this canon had not been made.

5. The synod of a diocese may, by ordinance, regulate the use of the service set out in the schedule at services held in that diocese.

6. A person made deacon in this Church in accordance with the service in the schedule is for the purpose of the application of Article 36 of the Articles of Religion, sometimes call the Thirty-nine Articles, rightly, orderly and lawfully made and ordained.

7. This canon affects the order and good government of the church within a diocese and shall not come into force in any diocese unless and until the diocese by ordinance adopts the canon.

SCHEDULE

The Ordination of Deacons

The ordination of deacons shall take place on a Sunday following one of the Ember weeks, or on another day appointed by the bishop, when a large number of people can be present.

1. The Holy Communion begins in the customary way. Where the rubrics in that service so allow, it is desirable that the confession and absolution be used after the reading of the commandments or one of the permitted alternatives.

2. The ordination collect

   Almighty God, giver of all that is good, you have appointed various orders of ministry in your Church; bless these persons now called to the order of deacons. So fill them all with your truth and clothe them with holiness, that they may faithfully minister to the glory of your Name and the benefit of your Church. We ask this through Jesus Christ our Lord, who lives and reigns with you and the Holy Spirit, one God, now and for ever. **Amen.**

   The collect of the day is added

3. The readings are selected from those printed on pages 293-295 of AAPB or are those appointed for the day.

4. After the Gospel there is a sermon explaining the office and duty of a deacon.

5. All stand for the Nicene Creed which is said or sung.

The Presentation

6. The archdeacon, and/or other persons (who may be a priest and a lay person) appointed by the bishop, bring the candidates to stand before the bishop, and says

   N, Bishop in the Church of God,

   I/we present to you N/N to be admitted to the order of deacons.

   The bishop says

   Can you assure us that they are suited by training and godly living to minister to Christ's family?

   The archdeacon

   They have been examined. Enquiries have been made among the people of God, especially among those concerned with their training, and I believe that all these candidates are so suited.

The bishop says to the people

> Dear friends in Christ, you know the importance of this ministry. We have been assured that these persons are suited to this calling. If anyone knows any adequate reason why we should not proceed, you should now come forward and make it known.

If any offence or obstacle is alleged against a candidate, the bishop shall postpone the candidate's ordination until the matter has been resolved.

If no objection is made, he continues

> Are you ready to accept them as deacons in the Church of God?

The people reply

> **We accept them gladly!**

The Examination

7. The people sit. The bishop instructs the candidates.

> My *brothers*, every believer is called to follow Jesus Christ, serving God the Father in the world, through the power of the Holy Spirit. God now calls you to a special ministry of service under the care of your bishop.
>
> You are to serve the church of God and to work with its members in caring for the sick, the needy, and all who are in trouble. By your teaching and your life you are to show Christ's people that in serving others we are serving Christ himself. You are to make his redemptive love known, by word and example, to those among whom you live, and work, and worship.
>
> You are to share with the community the love of Christ and his gospel of reconciliation and hope. You are to pray and work for peace and justice in the world.
>
> As deacons, you are to model your life according to the word of God. You are to be faithful in prayer, and take your place with bishop, priest and people in public worship and at the administration of the sacraments.
>
> You are to strengthen the faithful, teach the young, search out the careless and the indifferent, and to preach the word of God in the place to which you are licensed.
>
> In order that by your promises you may commit yourselves to your calling, and that this congregation may understand your intention, you must answer clearly to these questions which I now ask you in the name of God and his church:
>
> Do you believe that you are truly called by God and inwardly moved by the Holy Spirit to this order and ministry of deacons, according to the will of our Lord Jesus Christ?

Answer

I do.

The bishop

Do you accept the holy scriptures as containing all doctrines necessary for eternal salvation through faith in Jesus Christ?

Answer

I do.

The bishop

Will you take your part in reading the holy scriptures in the church, in teaching the doctrine of Christ, and in administering the sacraments?

Answer

I will.

The bishop

Will you be diligent in prayer, and in the study of the holy scriptures, and in such other studies as help in the performance of your office?

Answer

I will.

The bishop

Will you endeavour, with the help of God, to make your personal life *and that of your family* a wholesome example to Christ's people?

Answer

I will.

The bishop

Will you constantly seek the help of the Holy Spirit to use and develop God's gifts to you, and to proclaim the gospel of Christ?

Answer

I will.

The bishop

Will you promote unity, peace, and love among all Christian people, and especially among those whom you serve?

Answer

I will.

The bishop

Will you accept the order and the discipline of this Church, submitting yourselves to the lawful authority of your bishop and those appointed to have charge over you?

Answer

I will, with the help of God.

The bishop

Almighty God, who has given you the will to do all these things, grant you also strength and power to perform them.

The people

Amen. May God help us to support you in this work.

The Prayers

8. The bishop commends those who are to be ordained to the prayers of the people and silence is kept.

9. A minister begins this litany

God the Father,

Have mercy on us.

God the Son,

Have mercy on us.

God the Holy Spirit,

Have mercy on us.

Holy, blessed and glorious Trinity, one God,

Have mercy on us.

We humbly pray that you will hear us, O Lord; send your peace to the whole world, which you have reconciled to yourself by the ministry of your Son, Jesus.

Lord, hear our prayer.

Heal the divisions of your church, that all may be one,

Lord, hear our prayer.

Grant to your people the forgiveness of sins, growth in grace, and the fruit of the Spirit,

Lord, hear our prayer.

Lead the members of your church in their particular vocation and ministry to serve you through a true and godly life,

Lord, hear our prayer.

Raise up faithful and able ministers in your church, that the Gospel may be made known to all people,

Lord, hear our prayer.

Inspire all bishops, priests, and deacons with your love, that they may hunger for truth, and thirst after righteousness,

Lord hear our prayer.

Fill them with compassion, and move them to care for all your people,

Lord hear our prayer.

Bless your *servants* (N.N...) now to be admitted to the order of deacons, and pour your grace upon *them*, that *they* may faithfully fulfil the duties of this ministry, build up your church, and glorify your Name,

Lord, hear our prayer.

Sustain by the indwelling of your Holy Spirit those who have been called to the ministry of your church, and encourage them to persevere to the end,

Lord, hear our prayer.

Gather us with all your saints into your eternal kingdom,

Lord, hear our prayer.

The Laying on of Hands

10. The candidates kneel before the bishop who says this prayer over them.

God and Father of all, we praise you for your infinite love in calling us to be a holy people in the kingdom of your son Jesus Christ our Lord, who took on himself the form of a servant, and humbled himself, becoming obedient even to death on a cross. We praise you that you have highly exalted him and made him Lord of all.

Through him, holy Father, we pray you to send down your Holy Spirit upon *these* your *servants.* Fill *them* with your strength and power for *their* work as *deacons* of your church, to the glory of your Name and the benefit of your people.

The bishop lays his hands on the head of each saying

N., receive authority for the office and work of a deacon in the church of God; in the name of the Father, and of the Son, and of the Holy Spirit.

And the people say

Amen.

(the deacon may be appropriately vested)

The bishop gives to *him* the New Testament, saying

Receive this sign of your authority to proclaim God's word and to assist in the administration of his holy sacraments.

11. The bishop

Lord, pour your grace continually on these your *servants* and stir up the spirit of holiness within *them*. May *they* be modest and humble, and strong and steadfast in observing the discipline of Christ. Let *their* lives and teaching so reflect your commandments, that through *them* many may come to know you and love you. As your Son came not to be served but to serve, may *these* deacons share in his service, and come to the unending glory of him who, with you and the Holy Spirit, lives and reigns, one God, for ever and ever. **Amen.**

12. All stand

The bishop may present the newly ordained deacons to the people and say

People of God, I present to you these deacons.

The congregation may welcome them with applause.

13. The greeting of peace is given by the bishop

We are the body of Christ.

His Spirit is with us.

The peace of the Lord be always with you.

And also with you.

A hymn may be sung

The Holy Communion continues with the bringing of the gifts of the people to the Lord's Table (First Order #16, Second Order #19).

NOTE: The newly-ordained deacons may be invited by the bishop to assist in the administration of the communion.

NOTE: In the form of service above all rubrics are printed in red.

PRAYER BOOK FOR AUSTRALIA CANON 1995

Canon 13, 1995

A canon to authorise use of A Prayer Book for Australia and for related purposes.

The General Synod prescribes as follows:

1. This canon may be cited as the "Prayer Book for Australia Canon 1995".

2. In this canon, unless the contrary intention appears –

   "**A Prayer Book for Australia**" means the prayer book prepared by the Liturgical Commission under the name "**A Prayer Book for Australia**" and amended and approved by Synod on the sixth day of July 1995, subtitled "For use together with the Book of Common Prayer 1662 and An Australian Prayer Book 1978, liturgical resources authorized by the General Synod";

   "**Book of Common Prayer**" has the same meaning as in the Constitution;

   "**Constitution**" means the Constitution of The Anglican Church of Australia;

   "**this Church**" means The Anglican Church of Australia.

3. (1) The use of A Prayer Book for Australia by this Church is hereby authorised.

   (2) The admission of persons to an office of bishop, priest or deacon in this Church in accordance with the appropriate form in the Ordinal included in A Prayer Book for Australia is hereby authorised.

   (3) Nothing in this Canon affects:

   (a) the use of the Book of Common Prayer in accordance with the provisions of the Constitution:

   or

   (b) the admission of a person to an office of bishop, priest or deacon in this Church as if this canon had not been made;

   or

   (c) the use of an An Australian Prayer Book in accordance with the Australian Prayer Book Canon 1977;

   or

   (d) the use of deviations from An Australian Prayer Book in accordance with the Australian Prayer Book Canon 1977.

(4) Nothing in this Canon, or in the Australian Prayer Book Canon 1977 affects the continued operation of the second and third provisos to section 4 of the Constitution with regard to the use of deviations from the Book of Common Prayer.

4. The authorisation of A Prayer Book for Australia in no way diminishes the authority of the Book of Common Prayer and the Thirty-nine Articles as the authorised standard of worship and doctrine of the Church as declared in the Constitution.

5. The synod of a diocese may, by ordinance, regulate the use of A Prayer Book for Australia at services held in the diocese.

6. (1) Subject to this section, the bishop of a diocese may, upon request being submitted to him, authorise deviations from A Prayer Book for Australia.

(2) The procedures set out in the second and third provisos to section 4 of the Constitution apply to and in relation to the submission of requests to the bishop of a diocese under sub-section (1) in like manner as they apply to and in relation to the submission of requests for deviations from the Book of Common Prayer.

(3) Nothing in this section permits a deviation contravening a principle of doctrine or worship referred to in section 4 of the Constitution.

7. A person made deacon, ordained priest or consecrated bishop in The Anglican Church of Australia in accordance with a form in the Ordinal contained in A Prayer Book for Australia is, for the purposes of the application of Article 36 of the Articles of Religion, sometimes called the 39 Articles, rightly, orderly and lawfully made, ordained or consecrated, as the case may be.

8. The provisions of this Canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese, by ordinance, adopts it.

PRIMATE CANON 1985

Canon 15, 1985 as amended by
Canon 2, 1992
Canon 7, 2001
Canon 8, 2004
Canon 1, 2007
Canon 10, 2014
Canon 1, 2026

A canon to provide for the election and tenure of office of the Primate.

The General Synod prescribes as follows:

Preliminary

1.[1] This canon may be cited as the "Primate Canon 1985".

2.[2] In this canon, unless the context otherwise requires:-

"**Acting Primate**" means the metropolitan or bishop by whom the authorities powers rights and duties of the Primate are, under Section 10 of the Constitution, being for the time being exercised;

"**Board**" means the Board of Electors constituted under this canon;

"**complaint**" means a complaint against an eligible bishop alleging a breach of faith, ritual, ceremonial or discipline or alleging an offence as may be prescribed by Canon;

[3]***

"**eligible bishop**" means a diocesan bishop who is eligible for election to the office of Primate in accordance with the provisions of this Canon;

"**House of Bishops**" has the meaning attributed to it by section 16 of the Constitution;

"**information**" means information of whatever nature and from whatever source relating to the alleged misconduct or omission of an eligible bishop wherever and whenever occurring;

"**member of the clergy**" means a person who is or who is eligible to be a member of the House of Clergy;

"**member of the laity**" means a person who is or who is eligible to be a member of the House of Laity;

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1 Amended by Canon 8, 2004.
2 Amended by addition of definitions by Canon 1, 2007.
3 Definition of Director repealed by Canon 1, 2026.

"**Month**" means calendar month;

"**National Register**" means the National Register kept pursuant to the National Register Canon 2007;

"**Primate**" does not include the Acting Primate;

3.[4] (1) A summons issued pursuant to this canon shall be in writing, bear the date upon which it is issued and be signed by the person authorised by or under this canon to issue the summons or by a person authorised by him in writing so to do and shall be deemed to be duly served on a member of the Board if a copy thereof is -

(a) given to the member personally; or

(b) (i) left at, or

(ii) sent by post in a properly prepaid wrapper or envelope addressed to the member at,

the address of the member last known to the person who signs the summons.

(2) A summons of which a copy is so left shall be deemed to be served on the member at whose address it is left on the day following the day upon which it is so left.

(3) A summons of which a copy is so sent by post shall be deemed to be served on the member to whom it is addressed on the seventh day following the day upon which it is sent.

(4) The accidental omission to serve a summons under this canon upon, or the non-receipt of such a summons by, any person and the accidental service of such a summons outside the time limits prescribed by this canon shall not invalidate the meeting to which the summons relates or the proceedings at the meeting.

The Board of Electors

4.[5] There shall be a Board of Electors which shall consist of:-

(a) all members of the House of Bishops,

(b) twelve members of the clergy, and

(c) twelve members of the laity.

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4 Sub-section (1)(b) amended by Canon 1, 2007.

5 Sub-sections (b) and (c) amended by Canon 7, 2001; sub-sections (a), (b) and (c) amended by Canon 1, 2007.

5.[6] (1) At each ordinary session of the Synod -

(a) the House of Clergy shall elect eighteen members of the clergy to a Panel of Electors, and

(b) the House of Laity shall elect eighteen members of the laity to a Panel of Electors.

(2) Where the number of members of the clergy or of the laity nominated for election to the Panel does not exceed twelve the President shall declare the persons so nominated duly elected.

(3) Where the number of members of the clergy or members of the laity nominated for election exceeds twelve there shall be a ballot in the appropriate house in which each member of the House of Clergy or House of Laity who votes shall mark a cross opposite the name of each candidate for whom the member desires to vote provided that a voter shall vote for not more than twelve candidates.

(4) In the case of each house the candidate for whom the greatest number of votes is cast shall be the first elected, the candidate for whom the second greatest number of votes is cast shall be the second elected, and so on. In the case of two or more candidates receiving an equality of votes the order in which such candidates shall be deemed to be elected shall be determined by lot.

(5) Subject to this section each election for members of the Panel of Electors shall be conducted in accordance with the rules for the conduct of elections ordered to be made by the General Synod.

(6) Upon the occurrence of any vacancy in the membership of the Panel of Electors however caused the Standing Committee of General Synod shall elect a member of the clergy or member of the laity as the case requires to fill that vacancy.

6. Subject to Section 8, the first twelve clerical candidates elected to the Panel of Electors and the first twelve lay candidates elected to the Panel of Electors shall be members of the Board of Electors.

7.[7] A person who is an elected member of the Board or of the Panel of Electors shall cease to hold office if -

(a)[8] the person was a member of the clergy at the time of their election and ceases to be a member of the clergy;

(aa)[9] the person who was a member of the laity at the time of their election and ceases to be a member of the laity;

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6 Sub-sections (1), (2), (3) and (6) amended by Canon 1, 2007 and Sub-section (1) further Amended by Canon 1, 2026.

7 Sub-section (a) amended by Canon 1, 2007.

8 Amended by Canon 1, 2026.

9 Added by Canon 1, 2026.

(b) the person resigns by writing under hand received by the General Secretary of the Synod,

(c) the person while a member of the Board or of the Panel is convicted of any offence punishable by imprisonment for not less than twelve months; or

(d) in the opinion of the Primate or of the Acting Primate the person has become incapable of acting as a member of the Board by reason of the person's physical or mental condition and the Primate or Acting Primate gives to the General Secretary written notice of that opinion.

8. (1) Upon the occurrence of any vacancy in the office of an elected clerical or lay member of the Board before the Board has met the General Secretary shall ascertain so far as is necessary, and in the order of their election, from each clerical or lay member (as the case requires) of the Panel of Electors who is not a member of the Board whether that member is ready willing and able to become a member of the Board and, if a meeting of the Board has been convened, to attend that meeting. If that member of the Panel of Electors is ready willing and able as aforesaid the member shall forthwith become a member of the Board and shall where a meeting of the Board has been convened be forthwith summoned by the General Secretary to that meeting and the General Secretary shall report the circumstances and his action to the Primate or Acting Primate.

(2) If, following the procedure prescribed in sub-section (1), a vacancy continues to exist in the seat of an elected member of the Board and the Board has not then met that vacancy shall be filled by a duly qualified person elected by the Standing Committee of General Synod.

(3) For the purposes of this section a vacancy in the seat of an elected member of the Board shall be deemed to have occurred if an elected member informs the General Secretary, after the member has been summoned to a meeting of the Board, that the member will be unable to attend the meeting and the member shall thereupon be deemed to have been elected to the Panel of Electors at the head of those who, following the filling of that vacancy, are members of the Panel of Electors but are not members of the Board.

Eligibility and Term of Office

8A.[10] (1) Unless subsection (2) applies, the term of office of a person elected to the office of Primate is six years,

(2) If a person who holds, or who was the last person to hold, the office of Primate is again elected to hold that office, the term of office is three years,

(3) A person who has held office after election for two successive terms may not again hold the office of Primate until that person's successor has ceased to hold office.

(4) A person ceases to be an eligible bishop upon attaining the age of 70 years.

[10] Previous Section 9 deleted, new heading and Sections 8A and 9 added by Canon 1, 2007.

9.[11] A person who holds the office of Primate shall cease to hold that office upon –

(a) termination of the period for which the person has been elected;

(b) resigning by notice in writing given to the Senior Metropolitan (other than the Primate) at the time in Australia, seniority being determined by date of consecration;

(c) the Synod by resolution declaring the office to be vacant;

(d) ceasing to be an eligible bishop;

(e) attaining the age of 70 years.

Procedure on Vacancy[12]

10. (1) When the office of Primate is due to become vacant on a date that is known in advance the Primate shall cause to be convened by summons a meeting of the Board to be held not less than 3 months but not more than 9 months before the office is due to become vacant.

(2) Where it is not possible to convene by summons a meeting of the Board within the time specified in subsection (1) or where a vacancy in the office of Primate occurs without notice the Primate or, if the office has become vacant, the Acting Primate shall cause to be convened a meeting of the Board to be held as soon as possible.

(3) The summons shall be served within fourteen days of the issue of the summons upon all persons who at the time of issue of the summons are members of the Board and on the Director and shall specify the date, time and place at which the meeting will take place.

(4) The date specified in the summons shall be a date not earlier than one month after the summons is served or is deemed to have been served on all persons who are at the time of issue of the summons members of the Board.

(5) If a person becomes a member of the Board after the issue of a summons in accordance with this section the Primate or Acting Primate as the case may be shall thereupon issue and cause to be served upon that person as soon as is practicable a summons to attend the relevant meeting.

(6) A summons may be issued and served under this Canon and the Board may elect an eligible bishop to the office of Primate notwithstanding that a see is vacant.

(7) If in the opinion of the Standing Committee of General Synod the Primate or the Acting Primate as the case may be fails or omits to issue a summons or to cause a summons to be served in accordance with this section the Standing Committee may direct the General Secretary of the Synod to issue and to cause to be served a summons for the Board to meet at such dates, times and places as the Standing Committee having regard to the requirements of this section deems appropriate.

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11 Previous Section 9 deleted, new heading and Sections 8A and 9 added by Canon 1, 2007.

12 Heading and Section 10 replaced by Canon 1, 2007. A person elected to the office of Primate in accordance with the procedure in section 10(1) holds office only from the date the office becomes vacant and until that time is Primate Elect. *(See Primate Canon Amendment Canon 2007, section 12(5))*

Procedure for Election

11.[13] (1) The Board, when summonsed pursuant to section 10, shall meet for the purpose of electing an eligible bishop to be Primate.

(2) Subject to this Canon the Board may –

(a) adjourn and otherwise regulate its procedures and meeting as it sees fit, and

(b) act notwithstanding any vacancy in its membership.

(3) The Board shall elect a chair from among the members of the clergy or the members of the laity.

12.[14] A quorum of the Board shall be -

(a) two thirds of the members of the House of Bishops;

(b) eight members of the clergy; and

(c) eight members of the laity.

13.[15] If within a period of eight months after the date of the first meeting of the Board no eligible bishop be elected Primate or if at any time within that period the General Secretary receive notice from the chairman of the Board that the Board has resolved that it is unable to elect a Primate the General Secretary shall give notice to that effect to the Acting Primate and the Acting Primate, within three months of receipt of that notice, shall convene a special session of the Synod for the purpose of electing a Primate to be held at such place and at such time as the Acting Primate shall determine, provided that if when the Acting Primate receives that notice either a summons has been issued pursuant to Section 23 of the Constitution for the convening of members of the Synod for an ordinary session of Synod or in the judgement of the Acting Primate such a summons will be issued in the ordinary course within the next twelve months, the next ordinary session of Synod shall be deemed for the purposes of this canon to be a special session convened pursuant to this section.

14.[16] (1) At any election of a Primate under this canon the following provisions shall apply -

(a) In all ballots voting shall be by orders and each member of an order present may cast one vote for one eligible bishop no member shall have a casting vote.

(b) In the first ballot all eligible bishops shall be candidates;

(c) If on the first ballot an eligible bishop is elected Primate and the person elected forthwith declares unwillingness to accept the office, the first ballot shall be repeated but the person shall not be a candidate.

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13 Section 11 replaced by Canon 1, 2007.
14 Section 12 replaced by Canon 1, 2007.
15 Section 13 amended by Canon 1, 2007.
16 Section 14 (1) amended by deleting paragraphs (b) to (g) and inserting new paragraphs (b) to (j) by Canon 1, 2007.

(d) If on the first ballot an eligible bishop is elected Primate and does not forthwith declare unwillingness to accept the office:

(i)[17] The General Secretary must forthwith disclose to the members of the Board the content (if any) of the National Register insofar as it concerns the eligible bishop so elected;

(ii) If there is nothing to disclose under sub-paragraph (i) and the eligible bishop signifies acceptance of the office in accordance with subsection (2), that bishop shall become Primate;

(iii) If something is disclosed under sub-paragraph (i), and the eligible bishop has been given the opportunity to respond to that disclosure, the name of that eligible bishop so elected shall be submitted to a further ballot;

(iv) If the eligible bishop on the further ballot receives the votes of the requisite majority and signifies acceptance of the office in accordance with subsection (2), that bishop shall become Primate, but otherwise the process will proceed to a second ballot.

(e) If -

(i) on the first ballot no eligible bishop receives the votes of the requisite majority; or

(ii) the process must proceed to a second ballot under paragraph (d)(iv),

a second ballot must be held;

(f) Subject to paragraph (g), in the second ballot all eligible bishops shall be candidates except –

(i) the eligible bishop or bishops (if any) who received no votes in the first ballot;

(ii) if paragraph (d)(iv) has applied, the eligible bishop within the ambit of that paragraph who has not become Primate; and

(iii) any eligible bishop who has notified the chair of the Board that he does not desire to be a candidate in the ballot.

(g) Before the second ballot is held-

(i)[18] the General Secretary must forthwith disclose to the members of the Board the content of the National Register insofar as it concerns each of the candidates for that ballot;

(ii) if something is disclosed under sub-paragraph (i), and the eligible bishop has been given the opportunity to respond to that disclosure, the name of that eligible bishop shall be submitted to the second ballot;

17 Amended by Canon 1, 2026.
18 Amended by Canon 1, 2026.

(h) Unless paragraph (j) applies, if no eligible bishop receives the votes of the requisite majority in the second ballot, a further ballot or ballots shall be held until an eligible bishop receives the votes of the requisite majority or no eligible bishop remains a candidate, in each such further ballot the following shall not be candidates –

(i) every eligible bishop who received no votes in the immediately preceding ballot;

(ii) the eligible bishop or bishops who received the fewest votes in the aggregate in the immediately preceding ballot; and

(iii) any eligible bishop who, immediately before that ballot, gives to the chair of the Board notice that he does not desire to be a candidate.

(i) Unless paragraph (j) applies, if no eligible bishop receives the votes of the requisite majority, pursuant to paragraph (h), the procedure in paragraphs (b) to (g) shall be repeated at such intervals as the Board by a majority of all members present determines until an eligible bishop receives the votes of the requisite majority.

(j) If the list of candidates is reduced to two and if three ballots are held on that reduced list without a bishop receiving the votes of a requisite majority, the Board may, by a simple majority of the members present and voting, decide to revert to a ballot at which all diocesan bishops are candidates and this section then applies as if that ballot were a first ballot under this section.

(2)[19] Subject to this section an eligible bishop who receives the votes of the requisite majority shall be become Primate upon his signifying in writing to the General Secretary his acceptance of the office within 14 days after receiving the votes of the requisite majority.

(2A)[20] If a bishop does not signify acceptance within 14 days after receiving the votes of the requisite majority, those votes are of no effect and the Board shall revert to a ballot at which all eligible bishops are candidates and this section then applies as if that ballot were a first ballot under this section.

(2B)[21] A person elected to the office of Primate in accordance with the procedure in section 10(1) holds office only from the date the office becomes vacant and until that time is Primate Elect.

(3) For the purposes of this section

(a) the requisite majority is a majority in each of the three orders of those present and voting;

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19 Amended by Canon 7, 2001; amended by Canon 1, 2007.

20 Section 14 (2A) added by Canon 7, 2001; amended by Canon 1, 2007.

21 Added by Canon 10, 2014.

(b) where an election is by the Board each of the following constitutes an "order" –

(i) the members of the House of Bishops;

(ii) the members of the Board who are members of the clergy;

(iii) the members of the Board who are members of the laity;

(c) where an election is by Synod each house of Synod constitutes an "order";

(d) where an election is by Synod any reference to the Board is a reference to the Synod.

15. Notwithstanding anything in section 14, General Synod may at a special session convened pursuant to section 13 resolve at any time by houses that a new Board of Electors shall be constituted and thereupon the special sessions shall be deemed for the purposes of this canon to be an ordinary session and the provisions of this canon shall apply accordingly save that the Acting Primate shall convene the Board to meet as soon as is practicable and may fix the date, time and place of the first meeting of the Board by announcement made in Synod and such an announcement shall be deemed to be a summons duly served upon the members of the Board.

Primate's Chancellor[22]

16. (1) The Primate may at any time and from time to time appoint a Primate's Chancellor.

(2) The Primate's Chancellor is the principal confidential adviser to the Primate in legal and related matters.

(3) Subject to the Primate's Chancellor's overriding duty to the Primate, the Primate's Chancellor may provide advice to the General Synod and other agencies of this Church.

(4) If the Primate's Chancellor is not a member of General Synod he or she shall be entitled to attend each session of General Synod at the expense of the General Synod with the right to speak at the invitation of the Primate but not to vote.

(5) If the Primate's Chancellor is not a member of the Standing Committee of General Synod he or she shall be entitled, at the invitation of the Primate, to attend any meeting of the Standing Committee at the expense of the General Synod with the right to speak at the invitation of the Primate but not to vote.

17. (1) A person to be appointed the Primate's Chancellor shall hold the qualifications specified in section 3 of the Chancellors Canon 2001 and shall have, in the opinion of the Primate, a sound working knowledge of the law and polity of the Anglican Church of Australia.

22 Section 16 repealed and new Sections 16, 17, 18, 19 and 20 added by Canon 1, 2007.

(2) A Chair or Deputy Chair of Committees who is appointed Primate's Chancellor shall cease to hold office as Chair or Deputy Chair of Committees as the case may be and shall be ineligible to hold any such office while holding the office of Primate's Chancellor.

18. (1) The appointment of the Primate's Chancellor shall be in writing under the hand of the Primate and shall be for such period as is specified in the appointment or until the office of Primate becomes vacant, whichever first shall happen.

(2) Notwithstanding the provisions of subsection (1) the Primate's Chancellor –

(a) may resign the office by notice in writing to the Primate; and

(b) may be removed from office by the Primate.

19. A Primate's Chancellor, before that person enters upon the execution of the office, is required to take and subscribe before the Primate or a person nominated by the Primate entitled to administer an oath:

(a) the following oath or affirmation:

"I, AB, do swear that I will, to the utmost of my understanding, in all things deal uprightly and justly in my office: so help me God."; or

"I, AB, do solemnly and sincerely affirm that I will, to the utmost of my understanding in all things deal uprightly and justly in my office."

and

(b) the following declaration:

"I, AB, do solemnly and sincerely declare my assent to be bound by the Constitution of the Anglican Church of Australia and by the Canons and Rules from time to time in force of the General Synod".

Transitional provisions

20. Notwithstanding any other provisions of this Canon:

(a) the person holding the office of Primate at the time when this section takes effect shall continue in office until his successor is elected in accordance with this section and has accepted appointment, and he shall be eligible for re-election at that time for a period of six years but for no further consecutive term;

(b) there shall be a meeting of the Board for the election of Primate in accordance with the provisions of this Canon which shall be convened to be held as soon as reasonably practicable in or after the month of September 2008.

PROTECTION OF THE ENVIRONMENT CANON 2007

Canon No. 11, 2007

A canon to assist in the protection of the environment.

The General Synod prescribes as follows:

Preamble

A. This Church acknowledges God's sovereignty over his creation through the Lord Jesus Christ.

B. In Genesis it says that "The Lord God took the man and put him in the garden of Eden to till it and keep it." In 1990 the Anglican Consultative Council gave modern form to this task when it declared that one of the five marks of the mission of the Church was "to strive to safeguard the integrity of creation, and to sustain and renew the life of the earth".

C. This Canon gives form to this mark of mission in the life of the Anglican Church of Australia.

D. This Church recognises the importance of the place of creation in the history of salvation.

E. This Church acknowledges the custodianship of the indigenous peoples of this land.

F. This Church recognizes that climate change is a most serious threat to the lives of the present and future generations. Accordingly, this Canon seeks to reduce the release of greenhouse gases by this Church and its agencies.

Short title and principal canon

1. This Canon may be cited as the "Protection of the Environment Canon 2007".

Mechanisms to assist in protecting the environment

2. (1) Every diocese which adopts this Canon undertakes to reduce its environmental footprint by increasing the water and energy efficiency of its current facilities and operations and by ensuring that environmental sustainability is an essential consideration in the development of any new facilities and operations, with a view to ensuring that the diocese minimalises its contribution to the mean global surface temperature rise.

(2) Every diocese which adopts this Canon undertakes to establish such procedures and process such as an environment commission, or similar body as are necessary to assist the diocese and its agencies to:

(a) give leadership to the Church and its people in the way in which they can care for the environment,

(b) use the resources of God's creation appropriately and to consider and act responsibly about the effect of human activity on God's creation,

(c) facilitate and encourage the education of Church members and others about the need to care for the environment, use the resources of God's creation properly and act responsibly about the effect of human activity on God's creation, and,

(d) advise and update the diocese on the targets needed to meet the commitment made in sub-section (1);

(e) urge its people to pray in regard to these matters.

Reporting

3. (1) Every diocese which adopts this Canon undertakes to report to each ordinary session of the General Synod as to its progress in reducing its environmental footprint in order to reach the undertaking made in accordance with sub-section (1) of section 2.

(2) Any report will outline the targets that were set, the achievements made, and difficulties encountered.

Adoption of Canon by Diocese

4. The provisions of this Canon affect the order and good government of the Church within a diocese and the Canon shall not come into force in any diocese unless and until the diocese by ordinance adopts the Canon.

RECEPTION CANON 1981

Canon 1, 1985[1] as amended by Canon 14, 1995

A canon to authorise the use of a service for the reception into communicant membership of this Church of baptised persons who were formerly communicant members of other churches.

The General Synod prescribes as follows:

1. This canon may be cited as the "**Reception Canon 1981**".

2.[2] When a person who has been baptised and who is or was a communicant member of another church which holds the apostolic faith but which is not in full communion with this Church desires to become a communicant member of this Church, the priest, being assured that such is *his* desire, shall after due preparation present that person to the bishop at the time of confirmation or some other time. The bishop may receive and welcome *him* into communicant membership of this Church, laying hands on *him* with prayer for the strengthening of the Holy Spirit, using the form of service set out in the schedule to this canon, or in some other form of service authorised for use in this church by canon, in accordance with the rubrics incorporated therein.

3. A person received into communicant membership in accordance with this canon shall have the same status in this Church as a person who has been confirmed in accordance with the rites of this Church.

4. The reception of a person into communicant membership in accordance with this canon shall be recorded in the registers of this Church.

5. This canon affects the order and good government of the Church within a diocese and shall not come into force in any diocese unless and until the diocese by ordinance adopts the canon.

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1 This canon was passed provisionally as Canon 4(P), 1981.

2 Amended by Canon 14, 1995.

SCHEDULE

Reception into Communicant Membership of the Anglican Church of Australia
of Baptised and Communicant Members of other Churches

NOTES

1. When a person who has been a communicant member of another church which holds the apostolic faith desires to become a communicant member of this church, the priest, being assured that such is *his* desire, shall present that person to the bishop at the time of confirmation or at some other time. At a confirmation from An Australian Prayer Book, this service should follow #7 on page 514 or #13 on page 538. Alternatively, it may occur before the intercessions at Morning or Evening Prayer or at the Holy Communion.

2. The bishop may receive and welcome *him* into communicant membership of this Church, laying hands on *him* with prayer for the strengthening of the Holy Spirit, using this form of service. A person so received into communicant membership shall have the same status in this Church as a person who has been confirmed in accordance with the rites of this Church.

3. Such reception shall be recorded in the registers of the church.

    1. The priest presents the one to be received to the bishop saying

        N., has already been baptised and has formerly been a communicant member of the .... Church. *He* now asks to be received into communicant membership of the Anglican Church of Australia and seeks our prayers in the fellowship of this parish.

    2. The bishop says

        The Lord be with you.

        And also with you.

        Let us pray

        God of wisdom and love,
        source of all good,
        by your Holy Spirit strengthen your *servant*
        and guide *him* in your way of peace and love.
        We ask this through our Lord Jesus Christ your Son,
        who lives and reigns with you and the Holy Spirit.
        one God, for ever and ever. **Amen.**

‡ 3. Then Psalm 133 may be said or sung.

‡ 4. Ephesians 4: 1-13 may be read.

5. The bishop says to the candidate

Do you stand by the Christian confession and commitment made at your baptism?

I do.

Do you desire to be admitted into communicant membership of the Anglican Church of Australia and accept her doctrine and order?

I do.

6. The bishop welcomes the person in these words taking *him* by the hand.

We recognise you as a baptised and communicant member of the Christian Church.

We receive and welcome you into the communion of the Anglican Church.

He then kneels and the bishop lays his hands on *his* head saying

N., May the Holy Spirit direct and uphold you in the service of Christ and His kingdom in the fellowship of this Church.

REDRESS FOR SURVIVORS OF ABUSE CANON 2017

Canon 8, 2017

The General Synod prescribes as follows:

Title

1. This canon is the Redress for Survivors of Abuse Canon 2017.

Object

2. The object of this canon is to make provision for the co-ordination and management of redress:

   (a) for survivors of child sexual abuse perpetrated by Offenders through participation in a Commonwealth redress scheme; and

   (b) for survivors of abuse perpetrated by Offenders, including survivors of child sexual abuse who are unable or unwilling to participate in a Commonwealth redress scheme.

Interpretation

3. In this canon, unless the context otherwise requires:

   Commonwealth redress scheme means a scheme established by the Commonwealth to implement the recommendations in the Redress and Civil Litigation Report of the Royal Commission into Institutional Responses to Child Sexual Abuse;

   Offenders means clergy, lay workers and volunteers of Participants who commit abuse in the course of their official responsibilities;

   Participants means:

   (a) dioceses and organisations of this Church, and other entities approved by Standing Committee, that voluntarily elect to become members of a company registered in accordance with section 4; or

   (b) the company or dioceses and organisations of this Church that voluntarily elect to participate, and other entities that participate, in an entity or scheme authorised in accordance with section 7.

Registration of a company

4. The Standing Committee is authorised to arrange for the registration of a company limited by guarantee under the Corporations Act 2001 (Cth) to co-ordinate and manage redress:

   (a) for survivors of child sexual abuse perpetrated by Offenders through participation in a Commonwealth redress scheme; and/or

   (b) for survivors of abuse perpetrated by Offenders, including survivors of child sexual abuse who are unable or unwilling to participate in a Commonwealth redress scheme;

   on behalf of Participants.

Constitution of the company

5. The constitution of the company must provide that:

   (a) a member of the company is not liable for the payment of any amount in settlement of a claim for redress against another member; and

   (b) amendments to the constitution of the company must be approved by the Standing Committee.

Powers of the Standing Committee in relation to the company

6. The Standing Committee is further authorised:

   (a) to approve the constitution of the company;

   (b) to approve the initial members of the company;

   (c) to approve arrangements for entities other than dioceses and organisations of this Church to become members of the company;

   (d) to do such things as the constitution of the company requires of it;

   (e) to do such other things as are incidental or conducive to the registration, governance or management of the company; and

   (f) to consent to any future amendment of the constitution of the company.

Participation in an entity or scheme

7. The Standing Committee is authorised to arrange for the participation of the company, or dioceses and organisations of this Church, in another entity or scheme which is established to co-ordinate and manage redress:

   (a) for survivors of child sexual abuse perpetrated by Offenders through participation in a Commonwealth redress scheme; and/or

(b) for survivors of abuse perpetrated by Offenders, including survivors of child sexual abuse who are unable or unwilling to participate in a Commonwealth redress scheme;

on behalf of Participants.

Powers of the Standing Committee in relation to the entity or scheme

8. (1) The Standing Committee is further authorised:

(a) subject to subsection (2), to approve the terms for participation in the entity or scheme; and

(b) to do such other things as are incidental or conducive to the participation in the entity or scheme.

(2) The Standing Committee must not approve a term for participation in an entity or scheme which provides that a Participant is liable for the payment of any amount in settlement of a claim for redress against another Participant.

SAFE MINISTRY TO CHILDREN CANON 2017

Canon 4, 2017 as amended by
General Synod Standing Committee Resolution SC2018/03/39[1]
General Synod Standing Committee Resolution SC2018/03/40[2]
General Synod Standing Committee Resolution SC2021/2/25[3]
General Synod Standing Committee Resolution SC2021/2/26[4]
Canon 11, 2022
Canon 8, 2026
Canon 14, 2026

Whereas –

A. in 2004 the General Synod adopted the Safe Ministry Policy Statement which states that this Church is committed to the physical, emotional and spiritual welfare and safety of all people, particularly within its own community, and includes the commitments to carefully recruit and train its clergy and church workers, adopt and encourage safe ministry practices by its clergy and lay church workers, and provide pastoral support to and supervision of any person known to have abused a child or another vulnerable person,

B. in 2014 the General Synod adopted the Charter for the Safety of People within the Churches of the Anglican Communion which includes the commitments to adopt standards for the practice of pastoral ministry by clergy and other church personnel, to assess the suitability of persons for ordination as clergy or appointment to positions of responsibility in the church, and to promote a culture of safety in parishes and church organisations by education and training:

now the General Synod prescribes as follows:

PART 1 – PRELIMINARY

Title

1. This canon is the Safe Ministry to Children Canon 2017.

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1 Amended by General Synod Standing Committee Resolution SC2018/03/39 which came into effect on 1 January 2019.

2 Amended by General Synod Standing Committee Resolution SC2018/03/40 which came into effect on 1 January 2019.

3 Amended by General Synod Standing Committee Resolution SC2021/2/25 which came into effect on 1 July 2021.

4 Amended by General Synod Standing Committee Resolution SC2021/2/26 which came into effect on 1 January 2022.

Object

2. The object of this canon is:

(a) to prescribe a code of conduct for safe ministry to children;

(b) to prescribe minimum standards and guidelines for safe ministry to children; and

(c) to implement the Protocol so far as it provides for obtaining and taking into account Ministry Suitability Information before authorising clergy and church workers to undertake ministry to children.

Interpretation

3. In this canon, unless the context otherwise requires:

authorisation to function[5] means a licence or any written instrument by which a member of the clergy is appointed, authorised, permitted or sanctioned to exercise ministry as a member of the clergy and **authorising to function** and **authorised to function** have a corresponding meaning;

child has the same meaning as in the National Register Canon 2007;

child abuse has the same meaning as in the National Register Canon 2007;

Church authority has the same meaning as in the National Register Canon 2007;

Church body means any body corporate, organisation or association that exercises ministry within, or on behalf of, or in the name of, the Church, and is controlled by a diocese or province or the General Synod;

church worker[6] means a person undertaking any ministry to children who is not a member of clergy and who —

(a) is permitted to function by the Bishop of a diocese; or

(b) is employed by a Church body; or

(c) whether for payment or not, holds a position or performs a function with the actual or apparent authority of a Church authority or a Church body.

clergy means a person who is a bishop, priest or deacon in this Church;

code of conduct means a code of conduct for safe ministry to children;

cogent means clear, logical and convincing;

5 Added by Canon 11, 2022.
6 Amended by Canon 11, 2022.

contact means physical contact, oral communication (whether face-to-face or by telephone), written communication or electronic communication (which includes email, instant messaging, social media and video chats);

controlled by a diocese or province or the General Synod has the same meaning as in the National Register Canon 2007;

diocesan audit means an audit as to whether:

(a) any diocesan code of conduct containing additional standards of conduct for observance, and additional guidelines for conduct to be followed, is inconsistent with the standards of conduct and the guidelines for conduct contained in the prescribed code of conduct, or an equivalent code of conduct in respect of which the Standing Committee has made a determination under section 5(3);

(b) a diocese has standards, and guidelines unless there are cogent reasons for not doing so, that give effect to the prescribed standards and guidelines;

(c) a diocese has in place procedures which:

(i) effectively monitor observance by clergy and church workers in the diocese of the standards, and guidelines unless there are cogent reasons for not doing so, applicable to them that give effect to the prescribed standards and guidelines; and

(ii) provide for an appropriate response to instances of non-observance; and

(d) the procedures in paragraph (c) have, in all material respects, been followed, and

(e) any additional standards and guidelines for safe ministry to children prescribed by a diocese are inconsistent with the prescribed standards and guidelines, or equivalent standards and guidelines applicable to a Church body in respect of which the Standing Committee has made a determination under section 9(3);

diocesan safe ministry authority means a Church body with responsibility for safe ministry to children in a diocese, and where not established is the diocesan council;

General Synod audit means an audit as to whether:

(a) any code of conduct that applies to clergy and church workers in a Church body in respect of which the Standing Committee has made a determination under section 5(3) gives substantial effect to the standards of conduct and the guidelines for conduct contained in the prescribed code of conduct as appropriately adapted to the context of the Church body;

(b) the prescribed standards have been observed, and guidelines have been followed unless there are cogent reasons for not doing so, by the person or body appointing or electing clergy and church workers to a General Synod professional standards role or a General Synod safe ministry role;

(c) any standards and guidelines for safe ministry to children that apply to clergy and church workers in a Church body in respect of which the Standing Committee has made a determination under section 9(3) give substantial effect to the applicable prescribed standards and guidelines as appropriately adapted to the context of the Church body;

General Synod professional standards role means a professional standards role to which a person is elected or appointed by the General Synod or the Standing Committee or the Primate or the General Secretary;

General Synod safe ministry role means a safe ministry role to which a person is elected or appointed by the General Synod or the Standing Committee or the Primate or the General Secretary;

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ministry to children means work of a kind where a person:

(a)[8] is required to hold a statutory clearance by reason that the person has contact with a child as part of engaging in a regulated activity; or

(b) exercises a pastoral ministry which has direct, regular and not incidental contact with children; or

(c) provides services to children that are ancillary to the exercise of a pastoral ministry within paragraph (b) which involve:

(i) contact with children during an overnight activity (such as camps and similar activities); or

(ii) close, personal contact with children (such as changing clothes, washing and toileting); or

(d) supervises the ministry of a person within any one or more of paragraphs (a) to (c); or

(e) performs a professional standards role; or

(f) performs a safe ministry role;

occasional ministry[9] to children means the exercise of a pastoral ministry to children where the ministry is not regular and involves direct contact with children that is not incidental;

pastoral ministry includes the provision of spiritual advice and support, education, counselling, medical care, and assistance in times of need;

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7 Definition of 'licence' repealed by Canon 11, 2022.
8 Amended by Canon 11, 2022.
9 Added by Canon 11, 2022.

permission to function[10] means a licence or any written instrument by which a person who is not a member of the clergy is appointed, authorised, permitted or sanctioned to exercise ministry and **permitting to function** and **permitted to function** have a corresponding meaning;

Person of Concern is a person who is currently participating or wishes to participate in the life of a parish or congregation and whose presence constitutes a risk of harm from sexual abuse to others in the parish or congregation;

prescribed code of conduct means the code of conduct prescribed under this canon from time to time;

prescribed standards and guidelines means the standards and guidelines prescribed under this canon from time to time;

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[12]professional standards role means a role in:

(a) recommending or determining whether an action is to be taken; or

(b) providing support to a person;

under a process for determining the fitness for office of clergy or lay persons under any canon of the General Synod or diocesan ordinance or a process under Chapter IX of the Constitution, where the conduct that is the subject of the process relates to child abuse;

Protocol means the Protocol for the disclosure of ministry suitability information between the churches of the Anglican Communion which the Anglican Consultative Council referred to in resolution 16.27 passed in 2016, and the text of which is set out in the Third Schedule;

Safe Ministry Commission means the Safe Ministry Commission established pursuant to the Strategic Issues, Commissions, Task Forces and Networks Canon 1998;

safe ministry role[13] means a role:

(a) in recommending or determining standards and guidelines for safe ministry to children or with a Person of Concern; or

(b) in recommending or determining or supervising safe ministry in a parish or congregation with a Person of Concern;

but excludes a role as a member of the synod of the diocese and, if a diocese has established a diocesan safe ministry authority separate from its diocesan council excludes a role as a member of the diocesan council;

10 Added by Canon 11, 2022.
11 Definition of professional standards process repealed by Canon 8, 2026.
12 Amended by Canon 8, 2026.
13 Amended by Canon 11, 2022.

spiritual abuse has the same meaning as in the National Register Canon 2007;

standards for safe ministry with Persons of Concern[14] means the standards in Part 4 of the Second Schedule;

standards of screening[15] means the standards in Part 2 of the Second Schedule;

standards of training[16] means the standards in Part 3 of the Second Schedule;

statutory clearance[17] has the same meaning as in the National Register Canon 2007;

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PART 2 - CODES OF CONDUCT

Prescribed code of conduct

4. (1) The code of conduct is prescribed in the First Schedule.

(2) The General Synod, or the Standing Committee by a two-thirds majority, may by resolution amend the First Schedule by:

(a) prescribing amendments to the prescribed code of conduct or a substituted code of conduct; and

(b) determining the date on which the amendments to the prescribed code of conduct, or the substituted code of conduct, shall come into force.

(3) The Standing Committee prior to amending the First Schedule shall consult with the Safe Ministry Commission and diocesan safe ministry authorities as to the proposed amendments to the prescribed code of conduct or the proposed substituted code of conduct, and the date on which the proposed amendments to the prescribed code of conduct, or the proposed substituted code of conduct, shall come into force.

(4) Any amendments to the prescribed code of conduct, or any substituted code of conduct, shall not deal with or concern the faith ritual or ceremonial of this Church other than in relation to the spiritual abuse of a child or the confession of child abuse.

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14 Amended by Canon 11, 2022.
15 Amended by Canon 11, 2022.
16 Amended by Canon 11, 2022.
17 Added by Canon 11, 2022.
18 Definition 'working with children check' repealed by Canon 11, 2022.
19 Definition 'working with vulnerable people check' repealed by Canon 11, 2022.

(5) Subject to section 5, clergy and church workers shall:

(a) observe the standards of conduct, and

(b) follow the guidelines for conduct unless there are cogent reasons for not doing so,

contained in the prescribed code of conduct.

Equivalent code of conduct

5. (1) In this section **Church body** does not include a diocese or a diocesan safe ministry authority.

(2) The prescribed code of conduct shall not apply to clergy and church workers in a Church body which has a code of conduct applicable to them pursuant to:

(a) the laws of the Commonwealth or a State or Territory; or

(b) a requirement or condition for registration, approval or funding to provide services for children under the laws of the Commonwealth or a State or Territory; or

(c) a contract or arrangement with the Commonwealth or a State or Territory or an agency or authority of the Commonwealth or a State or Territory.

(3) Subject to subsection (2), the prescribed code of conduct shall apply to clergy and church workers in a Church body unless the Standing Committee by a two-thirds majority, on application by a province or diocese, determines that the Church body has a code of conduct containing equivalent standards of conduct for observance, and guidelines for conduct to be followed, by its clergy and church workers as appropriately adapted to the context of the Church body that give substantial effect to the standards of conduct and the guidelines for conduct contained in the prescribed code of conduct.

(4) The General Secretary shall publish on the General Synod website a list of all Church bodies that have been determined under subsection (3) to have an equivalent code of conduct, the date on which the determination was made, and if applicable the period during which the determination had effect.

Additional code of conduct

6. (1) A diocese may prescribe a code of conduct containing additional standards of conduct for observance, and additional guidelines for conduct to be followed, by the following persons, other than clergy and church workers in a Church body specified in section 5(2):

(a) in the case of clergy and church workers to whom the prescribed code of conduct applies, that are not inconsistent with the standards of conduct and the guidelines for conduct contained in the prescribed code of conduct; or

(b) in the case of clergy and church workers to whom a code of conduct specified in section 5(3) applies, that are not inconsistent with the standards of conduct and the guidelines for conduct contained in that code of conduct.

Publication of prescribed code of conduct

7. (1) The General Secretary shall publish the prescribed code of conduct on the General Synod website.

(2) The General Secretary shall table at each ordinary session of the General Synod any amendments to the prescribed code of conduct, or any substituted code of conduct, prescribed by the Standing Committee since the preceding ordinary session of the General Synod.

PART 3 - STANDARDS AND GUIDELINES

Prescribed standards and guidelines

8. (1) Standards of screening, standards of training and standards for safe ministry with Persons of Concern are prescribed in the Second Schedule.

(2) The General Synod, or Standing Committee by a two-thirds majority, may by resolution amend the Second Schedule by:

(a) prescribing amendments to the prescribed standards and guidelines or substituted standards and guidelines;

(b) prescribing further minimum standards for observance, and guidelines to be followed, for safe ministry to children; and

(c) determining the date on which the amendments to the prescribed standards and guidelines, or substituted standards and guidelines, or further standards and guidelines, shall come into force.

(3) The Standing Committee prior to amending the Second Schedule shall consult with the Safe Ministry Commission and diocesan safe ministry authorities as to the proposed amendments to the prescribed standards and guidelines, or proposed substituted standards and guidelines, or proposed further standards and guidelines, and the date on which the proposed amendments to the prescribed standards and guidelines, or proposed substituted standards and guidelines, or proposed further standards and guidelines, shall come into force.

(4) Any amendments to the prescribed standards and guidelines, or any substituted standards and guidelines, or any further standards and guidelines, shall not deal with or concern the faith ritual or ceremonial of this Church other than in relation to the spiritual abuse of a child or the confession of child abuse.

(5) Subject to section 9:

(a) each diocese shall have standards, and guidelines unless there are cogent reasons for not doing so, that give effect to the prescribed standards and guidelines; and

(b) clergy and church workers in a diocese shall observe:

(i) the standards, and

(ii) the guidelines unless there are cogent reasons for not doing so,

applicable to them that give effect to the prescribed standards and guidelines.

(6) The prescribed standards and guidelines apply to clergy and church workers who perform a General Synod professional standards role or a General Synod safe ministry role.

Equivalent standards and guidelines

9. (1) In this section **Church body** does not include a diocese or a diocesan safe ministry authority.

(2) The prescribed standards and guidelines shall not apply to clergy and church workers in a Church body which:

(a) is registered or approved or funded to provide services to children pursuant to the laws of the Commonwealth or a State or Territory; or

(b) provides services to children pursuant to a contract or arrangement with the Commonwealth or a State or Territory or an agency or authority of the Commonwealth or a State or Territory.

(3) Subject to subsection (2), the prescribed standards and guidelines shall apply to clergy and church workers in a Church body unless the Standing Committee by a two-thirds majority, on application by a province or diocese, determines that the Church body has equivalent standards for observance, and guidelines to be followed, by its clergy and church workers for safe ministry to children as appropriately adapted to the context of the Church body that give substantial effect to the applicable prescribed standards and guidelines.

(4) The General Secretary shall publish on the General Synod website a list of all Church bodies that have been determined under subsection (3) to have equivalent standards and guidelines, the date on which the determination was made, the applicable prescribed standards and guidelines for which the Church body has equivalent standards and guidelines, and if applicable the period during which the determination had effect.

Additional standards and guidelines

10. (1) A diocese may prescribe additional standards and guidelines for safe ministry to children, other than for a Church body specified in section 9(2):

(a) that are not inconsistent with the prescribed standards and guidelines; or

(b) in the case of a Church body specified in section 9(3), that are not inconsistent with the standards and guidelines applicable to that Church body.

Publication of prescribed standards and guidelines

11. (1) The General Secretary shall publish the prescribed standards and guidelines on the General Synod website.

(2) The General Secretary shall table at each ordinary session of the General Synod any amendments to the prescribed standards and guidelines, or substituted standards and guidelines, or further standards and guidelines, prescribed by the Standing Committee since the preceding ordinary session of the General Synod.

PART 4 – AUDIT

Audit

12. (1) In this section:

church worker has the same meaning as in the National Register Canon 2007;

independent person means a person who:

(a) is not a member of the clergy or a church worker; and

(b) has experience in undertaking audits of a similar nature to a General Synod audit and a diocesan audit.

(2) The General Secretary shall appoint an independent person to undertake a General Synod audit and a diocesan audit of each diocese at intervals of three years or such lesser period as determined by the Standing Committee, and provide as soon as practicable after the completion of the audit:

(a) a report of the General Synod audit to the Standing Committee; and

(b) a report of the diocesan audit to the diocesan council of the diocese concerned, the diocesan safe ministry authority of that diocese and the Standing Committee.

(3) The General Secretary shall consult with diocesan safe ministry authorities as to when the audit of each diocese shall be conducted.

(4) The Standing Committee shall determine the scope of the General Synod audit and a diocesan audit.

(5) The Primate and the General Secretary shall provide access to such of their records, the records of the General Synod and the records of the Standing Committee, and provide such information, as requested by the independent person undertaking the General Synod audit as is reasonably necessary to enable the General Synod audit to be undertaken.

(6) Each diocesan safe ministry authority shall provide access to such of the records of the diocese, and provide such information, as requested by the independent person undertaking the diocesan audit as is reasonably necessary to enable the diocesan audit to be undertaken.

(7) The General Secretary shall as soon as practicable after:

(a) the report of the General Synod audit has been provided to the Standing Committee, and

(b) the report of the diocesan audit has been provided to the diocesan council of the diocese concerned, the diocesan safe ministry authority of that diocese and the Standing Committee,

publish the report on the General Synod website.

(8) The General Secretary is authorised to provide:

(a) the report of the General Synod audit to an agency or authority of the Commonwealth or a State or Territory with responsibility for child safe standards in institutions providing services for children; and

(b) agency or authority of the State or Territory in which the diocese is located, with responsibility for child safe standards in institutions providing services for children.

12A.[20](1) Where the Standing Committee is satisfied that—

(a) an audit equivalent to a diocesan audit is required pursuant to the laws of the Commonwealth or of a State or Territory; and

(b) the report of the audit is publicly available—

the Standing Committee may by a two-thirds majority on the application of that diocese exempt the diocese from a diocesan audit.

20 Added by Canon 11, 2022.

(2) Where the Standing Committee is satisfied that—

(a) an audit equivalent to part of a diocesan audit is required pursuant to the laws of the Commonwealth or of a State or Territory; and

(b) the report of the audit is publicly available—

the Standing Committee may by a two-thirds majority on the application of that diocese exempt the diocese from that part of a diocesan audit.

PART 5 – GENERAL

Diocesan safe ministry authority

13. (1) Each diocese shall have a diocesan safe ministry authority.

(2) A diocesan safe ministry authority shall at the request of General Secretary promptly inform the General Secretary of the details of the screening and training of persons from the diocese who are being considered for appointment or election for a General Synod professional standards role or a General Synod safe ministry role.

PART 6 – COMING INTO FORCE

Coming into force of particular provisions

14. (1) Subject to this section, this canon will come into force on and from the date appointed by the President, being not later than one calendar month from the date on which the canon is passed.

(2) The standards of screening, standards of training and standards for safe ministry with Persons of Concern prescribed under section 8(1) shall come into force on the date specified in the Second Schedule.

(3) Section 12 shall come into force on 1 January 2019.

(4) Section 13 shall come into force on 1 January 2018.

Coming into force in a diocese

15. The provisions of this canon affect the order and good government of the Church within a diocese and shall not come into force in a diocese unless and until the diocese by ordinance adopts this canon.

SCHEDULES

FIRST SCHEDULE

Interpretation

1. In this Schedule:

Faithfulness in Service means Faithfulness in Service: A national code for personal behaviour and the practice of pastoral ministry by clergy and church workers as tabled at the 17th ordinary session of the General Synod held in 2017.

Code of conduct

2. The code of conduct is the standards and guidelines of Faithfulness in Service set out in:

(a) section 3 (Putting this Code into Practice) so far as they relate to section 5 (Children), and

(b) section 5 (Children),

when read in each case with section 1 (About this Code) and section 2 (Key Terms).

SECOND SCHEDULE

PART 1 - INTERPRETATION

Interpretation

1. In this Schedule, unless the context otherwise requires:

accredited training means:

(a) training that:

(i) includes the course content in the Safe Ministry Training National Benchmarks so far as it relates to ministry to children, with reasonable adjustments for cultural, linguistic and ability diversity; and

(ii) is delivered by persons who are accredited, and/or online training which is accredited, by a diocesan safe ministry authority; or

(b) training of another Church body or organisation that a diocesan safe ministry authority has determined is equivalent to the training in paragraph (a);

church ministry assessment means a reasonable endeavour made to obtain information about the person from the responsible authority, and if obtained consideration of that information;

criminal history assessment means consideration of a National Police History Check of the person;

denomination[21] means a religious body or a religious organisation declared to be a recognised denomination for the purposes of the *Marriage Act 1962* (Cth), other than the Anglican Church of Australia, that holds the Christian Faith as set forth in the Nicene Creed and the Apostles' Creed;

denominational authority[22] means a person or body of another denomination having authority to ordain, authorise to function, permit to function, license, elect, appoint, dismiss or suspend a member of the clergy or a lay person of that denomination;

diocesan authority[23] means a person or body of another diocese of this Church having authority to ordain, authorise to function, permit to function, license, elect, appoint, dismiss or suspend a member of the clergy or a lay person of that diocese;

information means a written statement by a responsible authority which discloses:

(a) whether or not there has been, and

(b) [24] if there has been, the substance of,

any untested allegation, charge, finding or admission of the commission of a criminal offence, or a breach of the rules in force in the applicable Province or diocese or denomination or institution regarding the moral conduct of clergy and lay persons undertaking ministry or of persons working for the institution, including rules relating to sexual conduct and conduct towards children and vulnerable adults;

institution[25] means an institution that is not an institution of this Church or of a Province or of a denomination;

institution authority[26] means a person or body of an institution with the power to elect, appoint, suspend or dismiss a person as an officer, employee or volunteer of that institution;

institutional assessment[27] means a reasonable endeavour made to obtain information about a person from an institution authority and includes consideration of any information so obtained;

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21 Added by Canon 11, 2022.
22 Amended by Canon 11, 2022.
23 Amended by Canon 11, 2022.
24 Amended by Canon 11, 2022.
25 Added by Canon 11, 2022.
26 Added by Canon 11, 2022.
27 Added by Canon 11, 2022.

[28]****

medical assessment means consideration of a medical report of the person by a registered medical practitioner;

National Register means the National Register established under the National Register Canon 2007;

national register assessment means a check whether there is any information about the person entered in the National Register, and if so consideration of that information;

other clergy[29] means—

(a) a bishop, priest or deacon in a Province; and

(b) an ordained minister of a denomination;

Persons of Concern Policy means the Policy for Safe Ministry in a parish where there is a risk of sexual abuse by a Person of Concern as tabled at the 17th ordinary session of the General Synod held in 2017;

professional standards personnel means clergy and church workers performing a professional standards role;

Province[30] means a member church or an extra-provincial church under the direct metro-political jurisdiction of the Archbishop of Canterbury of the Anglican Consultative Council other than this Church and includes part of a Province;

provincial authority[31] means the person or body in a Province having authority to ordain, authorise to function, permit to function, license, elect, appoint, dismiss or suspend a member of the clergy or a lay person of that Province;

psychological assessment[32] means consideration of a psychological report that includes an assessment of the personal, social and psychosexual maturity of the person by a registered psychologist experienced in psychological assessment;

responsible authority means:

(a) a provincial authority; or

(b) a diocesan authority; or

(c) a denominational authority; or

(d)[33] an institution authority;

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28 Definition of 'licensed clergy' repealed by Canon 11, 2022.
29 Added by Canon 11, 2022.
30 Amended by Canon 11, 2022.
31 Amended by Canon 11, 2022.
32 Amended by General Synod Standing Committee Resolution SC2021/2/25 which came into effect on 1 July 2021.
33 Amended by Canon 11, 2022.

risk assessment means a risk assessment provided by the Department for Communities and Social Inclusion Screening Unit of South Australia;

safe ministry assessment means consideration of the person's completed Safe Ministry Check, and if applicable referees' completed Safe Ministry Checks;

Safe Ministry Check[34] means a check that includes the applicable Safe Ministry Check as tabled at the meeting of the Standing Committee held on 9–10 November 2018;

safe ministry personnel means clergy and church workers performing a safe ministry role;

Safe Ministry Training National Benchmarks means the Safe Ministry Training National Benchmarks as tabled at the 17th ordinary session of the General Synod held in 2017;

screening authority means:

(a)[35] in the case of a person to be ordained as a deacon, or a member of the clergy to be authorised to function or a church worker permitted to function, the bishop of the diocese or his or her delegate; or

(b) in the case of a member of the clergy to be elected or appointed as the bishop of the diocese, the electing or appointing body or its delegate; or

(c) in the case of a church worker to undertake paid or voluntary ministry to children, the appointing person or body or their delegate; or

(d) in the case of a professional standards personnel and safe ministry personnel, the electing or appointing body or its delegate.

1A.[36] A person is **screened** if the prescribed standards of screening have been applied in respect of that person by the relevant screening authority.

34 Amended by General Synod Standing Committee Resolution SC2018/03/39 which came into effect on 1 January 2019.

35 Amended by Canon 11, 2022.

36 Added by Canon 11, 2022.

PART 2 - STANDARDS OF SCREENING

Application

2. (1)[37] This Part applies to all persons ordained as deacons, or authorised to function, appointed or elected as the bishop of a diocese, or permitted to function, after this Part comes into force.

(2)[38] This Part so far as it requires a statutory clearance, or a criminal history assessment, or a risk assessment, applies to all persons authorised to function, appointed or elected as the bishop of a diocese, or permitted to function, when this Part comes into force.

(3)[39] This Part so far as it requires a national register assessment and a safe ministry assessment by the screening authority applies to all persons authorised to function, appointed or elected as the bishop of a diocese, or permitted to function, when this Part comes into force, except where the screening authority is reasonably satisfied this has previously been done, and where not so satisfied provided that these assessments are undertaken by 1 January 2021.

(4)[40] Subject to subclauses (2) and (3), this Part does not apply to persons ordained as deacons, authorised to function, appointed or elected as the bishop of a diocese, or permitted to function, when this Part comes into force.

Deacons

3. The standards of screening for a person to be ordained as a deacon are:

(1)[41] the person holds an unconditional statutory clearance; and

(2) the following assessments by the screening authority:

(a)[42] where a statutory clearance is not required by or is not able to be sought under the laws of a Commonwealth, State or Territory, a criminal history assessment or a risk assessment;

(b) a national register assessment;

(c) a safe ministry assessment;

(d) a medical assessment;

(e) a psychological assessment; and

(f) where the person was previously authorised for ministry in a Province or in another diocese of this Church or another denomination, a church ministry assessment, except where reasonably satisfied this has previously been done.

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37 Amended by Canon 11, 2022.
38 Amended by Canon 11, 2022.
39 Amended by Canon 11, 2022.
40 Amended by Canon 11, 2022.
41 Amended by Canon 11, 2022.
42 Amended by Canon 11, 2022 and Canon 14, 2026.

The Bishop of the diocese and clergy authorised to function[43]

4.[44] The standards of screening for a member of the clergy to be authorised to function, or to be elected or appointed as the bishop of the diocese, are:

(1)[45] the person holds a statutory clearance; and

(2) the following assessments by the screening authority:

(a)[46] where an unconditional statutory clearance is not required by or is not able to be sought under the laws of a Commonwealth, State or Territory, a criminal history assessment or a risk assessment;

(b) a national register assessment;

(c) a safe ministry assessment; and

(d) where the person was previously authorised for ministry in a Province or in another diocese of this Church or another denomination, a church ministry assessment, except where reasonably satisfied this has previously been done.

Church workers who are paid or permitted to function[47]

5.[48] The standards of screening for church workers to be permitted to function or to undertake paid ministry to children are:

(1)[49] the person holds a statutory clearance; and

(2) the following assessments by the screening authority:

(a)[50] where an unconditional statutory clearance is not required by or is not able to be sought under the laws of a Commonwealth, State or Territory, a criminal history assessment or a risk assessment;

(b) a national register assessment;

(c) a safe ministry assessment; and

(d) where the person was previously authorised for ministry in a Province or in another diocese of this Church or another denomination, a church ministry assessment, except where reasonably satisfied this has previously been done.

43 Amended by Canon 11, 2022.
44 Amended by Canon 11, 2022.
45 Amended by Canon 11, 2022.
46 Amended by Canon 11, 2022.
47 Amended by Canon 11, 2022.
48 Amended by Canon 11, 2022.
49 Amended by Canon 11, 2022.
50 Amended by Canon 11, 2022.

Voluntary church workers

6. The standards of screening for church workers, who are not professional standards personnel and safe ministry personnel, to undertake voluntary ministry to children are:

(1)[51] the person holds an unconditional statutory clearance or a conditional statutory clearance that enable the ministry to be undertaken where required by or is not able to be sought under the law of the Commonwealth or a State or Territory; and

(2) the following assessments by the screening authority:

(a)[52] where an unconditional statutory clearance or a conditional statutory clearance that authorises the ministry to be undertaken is not required by or is not able to be sought under the laws of a Commonwealth, State or Territory and the person is aged 18 years or over, a criminal history assessment where a National Police History Check can be applied for by the person or a risk assessment;

(b) a national register assessment; and

(c) [53] a safe ministry assessment when the person is aged 13 years and over.

Professional standards personnel and safe ministry personnel

7.[54] The standards of screening for professional standards personnel, and safe ministry personnel, who have not otherwise been screened as a deacon, authorised to function, appointed or elected as the bishop of a diocese, or permitted to function as a paid or voluntary church worker, are a national register assessment by the screening authority.

Creation and retention of records

8. Accurate records of the screening of clergy and church workers are to be created and maintained in a secure manner.

51 Amended by Canon 11, 2022.

52 Amended by General Synod Standing Committee Resolution SC2018/03/40 which came into effect on 1 January 2019; amended by Canon 11, 2022.

53 Amended by General Synod Standing Committee Resolution SC2018/03/39 which came into effect on 1 January 2019.

54 Amended by Canon 11, 2022.

PART 3 - STANDARDS OF TRAINING

Application

9. (1)[55] This Part applies to all persons ordained as deacons, or authorised to function, appointed or elected as the bishop of a diocese, or permitted to function, or elected or appointed as professional standards personnel or safe ministry personnel, after this Part comes into force.

(2)[56] This Part applies to all persons authorised to function, appointed or elected as the bishop of a diocese, or permitted to function, or elected or appointed as professional standards personnel or safe ministry personnel, when this Part comes into force, provided that accredited training is undertaken by 1 January 2021.

Accredited training

10. The standards of training for clergy and church workers are satisfactory completion of accredited training:

(1) (a) by the bishop of the diocese, within three years prior to his or her election or appointment, or in exceptional circumstances prior to his or her installation; or

(b)[57] by deacons, clergy authorised to function, and church workers permitted to function, within three years prior to being ordained, authorised to function, permitted to function or appointed to undertake ministry to children, except where the bishop of the diocese or his or her delegate is satisfied there are exceptional circumstances in which case the training is to be completed as soon as practicable but not later than three months after the person is ordained, authorised to function, permitted to function or appointed to undertake ministry to children; or

(c)[58] by professional standards personnel, who are not a deacon, authorised to function, appointed or elected as the bishop of a diocese, or permitted to function as a paid or voluntary church worker, within three years prior to election or appointment to a professional standards role; or

(d)[59] by safe ministry personnel, who are not a deacon, authorised to function, appointed or elected as the bishop of a diocese, or permitted to function as a paid or voluntary church worker, within three years prior to election or appointment to a safe ministry role; and

(2) by clergy and church workers in paragraph (a), at intervals of not more than three years after prior satisfactory completion of accredited training.

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55 Amended by Canon 11, 2022.
56 Amended by Canon 11, 2022.
57 Amended by Canon 11, 2022.
58 Amended by Canon 11, 2022.
59 Amended by Canon 11, 2022.

Creation and retention of records

11. Accurate records of the satisfactory completion of accredited training by clergy and church workers are to be created and maintained in a secure manner.

PART 4 - STANDARDS FOR SAFE MINISTRY WITH PERSONS OF CONCERN

Standards

12. (1) The standards for safe ministry with a Person of Concern in a parish are the actions required to implement the process specified in section 5 of the Persons of Concern Policy.

(2) The standards for safe ministry with a Person of Concern in a congregation are the actions required to implement the process specified in section 5 of the Persons of Concern Policy as adapted by a diocesan safe ministry authority to apply to a congregation.

Creation and retention of records

13. Accurate records relating to the implementation of the Persons of Concern Policy in respect of each Person of Concern are to be created and maintained in a secure manner.

PART 5 – STANDARDS OF SUPERVISION[60]

Application

14. This part applies to all persons licensed or authorised or appointed as church workers who are under the age of 16 years.

15. A church worker who is under the age of 16 years shall, except in an emergency, undertake all ministry to children under the direct supervision of at least one church worker who is aged 18 years or over.

Creation and retention of records

16. Accurate records relating to the supervision of church workers who are under the age of 16 years are to be created and maintained in a secure manner.

60 Added by General Synod Standing Committee Resolution SC2021/2/26 which came into effect on 1 January 2022.

PART 6 - COMING INTO FORCE OF PARTICULAR PROVISIONS[61]

17.[62] (1) Parts 2 (except paragraph (b) of clause 6(2)) and 3 when read with Part 1 of this Schedule shall come into force on 1 January 2018.

(2) Paragraph (b) of clause 6(2) when read with Part 1 of this Schedule shall come into force on a date determined by the Standing Committee.

(3) Part 4 when read with Part 1 of this Schedule shall come into force on 1 January 2019.

(4)[63] Part 5 shall come into force on 1 January 2021.

THIRD SCHEDULE

Protocol for the disclosure of ministry suitability information between the churches of the Anglican Communion.

Definitions

1. In this Protocol:

Assessing Province means the Province in which a Church authority is to assess whether the Church worker should be authorised for ministry;

Authorising Province means the Province or Provinces in which the Church worker is authorised, or has previously been authorised, to undertake ministry by a Church authority;

Church authority means the person or body responsible for authorising Church workers to undertake ministry in the Authorising Province or the Assessing Province;

Church worker means a member of the clergy or a lay person who:

(a) is authorised, or has previously been authorised, to undertake ministry by a Church authority of the Authorising Province; and

(b) has applied to undertake authorised ministry, or has been nominated for appointment to a position or office involving the undertaking of authorised ministry, in the Assessing Province;

Ministry Suitability Information means a written statement by a Church authority of the Authorising Province about the Church worker that discloses:

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61 Renumbered by General Synod Standing Committee Resolution SC2021/2/26 which came into effect on 1 January 2022.

62 Renumbered by General Synod Standing Committee Resolution SC2021/2/26 which came into effect on 1 January 2022.

63 Added by General Synod Standing Committee Resolution SC2021/2/26 which came into effect on 1 January 2022.

(a) whether or not there has been; and

(b) if so, the substance of;

any allegation, charge, finding or admission of the commission of a criminal offence, or the breach of the Authorising Province's rules regarding the moral conduct of clergy and lay persons undertaking ministry, including rules relating to sexual conduct and conduct towards children and vulnerable adults;

Province includes part of a Province.

System for the disclosure of Ministry Suitability Information by the Authorising Province

2. The Authorising Province will have and maintain a system for the disclosure of Ministry Suitability Information about a Church worker of the Province to the applicable Church authority of the Assessing Province that includes the following requirements:

(a) the applicable Church authority of the Province is to promptly deal with an application by the applicable Church authority of the Assessing Province for the disclosure of Ministry Suitability Information; and

(b) the applicable Church authority of the Province is to disclose the Ministry Suitability Information to the applicable Church authority of the Assessing Province.

System for assessing the suitability of a Church worker for authorised ministry in the Assessing Province

3. The Assessing Province will have and maintain a system for the assessment of the suitability of a Church worker to undertake authorised ministry in the Province that includes the following requirements:

(a) the applicable Church authority is to make an application to the Authorising Province for Ministry Suitability Information;

(b) the applicable Church authority is not to authorise the Church worker to undertake ministry in the Province unless and until it has carried out an assessment of whether the Church worker is a risk to the physical, emotional and spiritual welfare and safety of people that takes into account the Ministry Suitability Information disclosed by the Authorising Province; and

(c) the applicable Church authority is to keep the Ministry Suitability Information confidential, except where its disclosure:

(i) is required by law; or

(ii) is reasonably believed to be necessary to protect any person from the risk of being harmed by the Church worker; or

(iii) is necessary for the purpose of undertaking the assessment of whether the Church worker is suitable to undertake authorised ministry in the Province or any disciplinary action against the Church worker.

SEE FINANCE AND INFORMATION CANON 1966

Canon 14, 1966

A canon to regulate the provision of information regarding the remuneration and emoluments of the bishop of a see.

The General Synod prescribes as follows:

1. Whenever a see shall become or be declared to be vacant the Administrator shall within two months from such vacancy cause an investigation to be made of the assets which comprise the endowment of the see fund, and a report to be prepared concerning the same.

2. Such report shall include:

   (a) a balance sheet which sets out in detail the assets and liabilities of the fund together with income and expenditure accounts of the fund for each of the three years immediately preceding such vacancy, and such balance sheet and accounts shall be certified as correct by the auditor of the diocese;

   (b) a description of the condition of any property to be provided for the residence of the bishop and the outgoings in respect thereto;

   (c) any other matters which the investigator thinks should be included.

3. If the remuneration and emoluments of a bishop are not derived from or provided by an endowment fund and the see shall become or be declared to be vacant, the administrator shall cause a detailed statement to be prepared which shall set out:

   (a) the proposed remuneration and emoluments of the new bishop;

   (b) the source of the same;

   (c) the condition of any property to be provided for the residence of the bishop and the outgoings in respect to the same.

4. If the remuneration and emoluments of a bishop are derived partly from an endowment fund and partly from other sources and the see shall become or be declared to be vacant, the Administrator shall cause both an investigation and report and a statement to be prepared as set out in clauses 1 to 3 hereof.

5. The Administrator shall send a copy of any such report and statement so prepared as aforesaid to the person elected or appointed as bishop of such see and if such see is part of a province to the metropolitan of such province, and if such see is not part of a province to the Primate.

6. The bishop or bishops or the administrator or administrators of any diocese or dioceses out of which a new diocese is about to be formed shall prior to the circulation of a bill for a canon to ratify the formation of such a new diocese cause a statement to be prepared setting out the matters detailed in clauses 3 (a), (b) and (c) hereof.

7. A copy of such statement shall be sent by the person or persons responsible for its preparation to each of the following namely

   (a) to the synod council committee or persons authorised under section 48 of the Constitution to elect or appoint the first bishop of a new diocese,

   (b) to any person elected or appointed as the said first bishop,

   (c) to the metropolitan of the province wherein such new diocese is to be a part; and

   (d) to the Primate where such new diocese is not to be part of a province.

8. The cost of the preparation of such last mentioned statement shall be part of the costs for the formation of the said new diocese.

9. When a bishop intends to resign he shall notify such intention and the date on which it is to take effect in writing to the metropolitan, or, where there is no metropolitan, to the Primate, and also to the administrator. On and after such date the see shall be deemed vacant.

10. For the purpose of this canon the words:

    "**declared vacant**" shall mean that the see has been declared vacant under the provisions of Determination VI, Session 1891.

    "**Administrator**" shall mean and include the person appointed by or under the constitution of the diocese to administer the affairs of the diocese during a vacancy in the see.

11. The provisions of this canon affect the order and good government of the church within a diocese.

12. Determination III, Session 1896, as amended and Determination VI, Session 1905, of the General Synod of the Dioceses of the Church of England in Australia and Tasmania shall cease to have any operation in any diocese on the passing of an ordinance by the synod of such diocese adopting this canon.

13. This canon may be cited as the "See Finance and Information Canon 1966".

SOLEMNIZATION OF MATRIMONY CANON 1981[1]

Canon 3, 1981

A canon concerning the solemnization of matrimony.

The General Synod prescribes as follows:

1. This canon may be cited as the "Solemnization of Matrimony Canon 1981".

2. The canons numbered 62, 63, 100, 101, 102, 103 and 104 included in the Constitutions and Canons Ecclesiastical agreed upon by the Bishops and Clergy of the Province of Canterbury in the year of our Lord 1603 and known as the Canons of 1603, and any Canon amending or appended to the 62nd or the 102nd Canon, shall not have any operation or effect in this Church.

3. Matrimony shall not be solemnized according to the rites and ceremonies of this Church -

   (a) unless the celebrant is a minister registered on the nomination of this Church as an authorised celebrant according to the law of the Commonwealth of Australia;

   (b) unless at least one of the parties to be married has been baptized;

   (c) except in a church or chapel of this Church or a church building licensed by the bishop of the diocese for the solemnization of matrimony unless the bishop of the diocese in the particular case gives express permission for the solemnization of the marriage at some other specific place;

   (d) where the persons to be married are within a prohibited relationship as declared by the law of this Church in force in the diocese concerned;

   (e) where a party to be married is a minor, otherwise than in accordance with the laws of the Commonwealth of Australia relating to the consent of parents or guardians in the case of the marriage of such persons;

   (f) except in the presence of not less than two witnesses; and

   (g) where either or each of the parties to be married is a divorced person, except in accordance with the law of this Church as to the marriage of such persons in force in the diocese concerned.

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1 See Appendix B.

4. Nothing in this canon shall affect the provisions of any ordinance of a diocese in force or having effect at the time when the diocese adopts this canon relating to the publication of Banns of Marriage and dispensation therewith.

5. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in any diocese unless and until the diocese by ordinance adopts it.

SPECIAL TRIBUNAL CANON 2007

Canon 13, 2007 as amended by
Canon 11, 2010
Canon 14, 2010
Canon 3, 2014
Canon 8, 2014
Canon 11, 2017
Canon 12, 2017
Canon 18, 2017
Canon 7, 2022
Canon 10, 2022
Canon 11, 2022
Canon 15, 2026

A canon to provide for the investigation of matters which may become the subject of a charge before the Special Tribunal and to provide for the appointment and procedure of the Special Tribunal.

The General Synod prescribes as follows:

PART 1 - PRELIMINARY

1. This Canon may be cited as the "Special Tribunal Canon 2007".

2. (1)[1] In this Canon, unless the context otherwise requires:

"**Bishop**" means a bishop referred to in section 56(6) of the Constitution; and

"**bishop**" means a person in bishop's orders.

"**child abuse**"[2] has the same meaning as in the National Register Canon 2007;

"**Church**" means the Anglican Church of Australia;

"**Church body**" includes the Primate, the General Synod, a diocese, diocesan synod, diocesan council, diocesan trustee or trust corporation or other body responsible for administering the affairs of a diocese, or an institution or agency of this Church or of a diocese;

"**Commonwealth**" means the Commonwealth of Australia;

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1 Amended by Canon 11, 2022.
2 Added by Canon 11, 2022.

"**complaint**" means a complaint against a Bishop alleging a breach of faith, ritual, ceremonial or discipline or alleging an offence as may be specified by Canon;

"**Director**" means the Director of the Episcopal Standards Commission appointed under Part 3;

"**Episcopal Standards Commission**" or "**ESC**" means the Episcopal Standards Commission established under Part 2;

"**incapable**" means incapable for the purposes of the Bishop (Incapacity) Canon 1995;

"**National Register**" means a National Register established pursuant to a Canon of General Synod for a purpose which includes the recording of determinations of the Tribunal;

"**priest**" means a person who is in priest's orders who is not a bishop;

"**protocol**" means the protocol approved under Part 3 of the Episcopal Standards Canon 2004;

"**relevant Metropolitan**", means:

(a) in relation to the bishop of a diocese:

(i) unless paragraph (iii) or (iv) applies, the Metropolitan of the Province in which the diocese is situated; or

(ii) if the diocese is an extra-provincial diocese, the Primate; or

(iii) if the bishop is the Metropolitan but not the Primate, the Primate; or

(iv) if the bishop is the Primate, the person who, at the relevant time, is the next most senior Metropolitan who is available, seniority being determined by the date of consecration; and

(b) in relation to any other Bishop, the Primate;

"**respondent**" means a bishop whose alleged conduct or omission is the subject of a complaint;

…[3]

"**Subsection 43(2) Exclusion**"[4] means an ordinance made by the synod of a diocese under subsection 43(2) which:

(a) declares that paragraph (a) of subsection 43(1) shall have no effect in respect of the Bishop of that diocese; and

(b) has not been revoked by that synod.

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3 Definition of 'sexual offence relating to a child' repealed by Canon 7, 2022 which came into effect on 10 March 2025.

4 Added by Canon 11, 2010.

"**Tribunal**" means the Special Tribunal.

(2)[5] For the purposes of this Canon, a person has a conflict of interest when their responsibilities arising from their role may be influenced or affected, or may be perceived as being influenced or affected, by—

(a) their personal financial interest, or those of their family or friends;

(b) their reputation, or that of their family or friends;

(c) their obligations or loyalty to another person or organisation;

(d) their previous or current relationship (whether personal or professional) with someone who might be affected by how they discharge those responsibilities; or

(e) their previous or current involvement in another capacity in a matter now falling within those responsibilities.

2A.[6] (1) The ESC has no powers or duties under this canon, apart from the duty imposed by subsection (2), in relation to a diocese or the Bishop thereof while there is a Subsection 43(2) Exclusion in effect in relation to that diocese.

(2) If the ESC receives a complaint in relation to the Bishop of a diocese while there is a Subsection 43(2) Exclusion in effect in relation to that diocese, the ESC must refer the complainant and the complaint:

(a) where the diocese is part of a province and the complaint is not in respect of the Metropolitan of that province, to the Metropolitan of that province;

(b) where the diocese is part of a province and the complaint is in respect of the Metropolitan of that province, to the Metropolitan of another province, and

(c) where the diocese is not part of a province and the complaint is in respect of the Bishop of that diocese, to a Metropolitan.

PART 2 – EPISCOPAL STANDARDS COMMISSION

3. There shall be an Episcopal Standards Commission.

4. (1) The ESC shall have at least three members.

(2) The membership of the ESC shall be constituted so as collectively to provide:

(a) experience in law;

(b)[7] a person in bishops' orders who is not a Bishop; and

(c) experience and appropriate professional qualifications in child protection, social work or counselling.

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5 Added by Canon 11, 2022.
6 Added by Canon 11, 2010.
7 Amended by Canon 14, 2010.

(3) The ESC so far as is reasonably practicable shall have an equal number of men and women.

5.[8] (1) The members of the ESC shall be appointed by the Standing Committee.

(2) The members of the ESC shall hold office for a term of not more than 5 years (which may be renewed) and on such other terms and conditions as may be determined by the Standing Committee from time to time.

(3) Notwithstanding the provisions of this Canon (other than section 5A) or of any other canon, the members of the ESC holding office immediately before the Special Tribunal Canon 2007 Amendment Canon 2010 comes into force, will cease to hold office at the conclusion of the second meeting of the Standing Committee following the 15th General Synod.

(4) If a member of the ESC is unable to undertake their role by reason of incapacity or conflict of interest, the Standing Committee may appoint an additional member to the ESC in accordance with this Canon for such period as the Standing Committee may determine.

5A.[9] A member of the ESC shall cease to hold office upon:

(a) death of the member;

(b) resignation of the member;

(c) declaration by a competent court or tribunal that the member is incapable of managing his or her affairs;

(d) the member ceasing to reside permanently in Australia;

(e) conviction or finding of guilt of the member in any court of any offence punishable by imprisonment;

(f) the member becoming a Bishop;

(g)[10] the member reaching the age of 75 years; or

(h) the passing of a resolution –

(i) by the Standing Committee by a two-thirds majority of those members present and voting, or

(ii) by the General Synod voting as a whole passed by a two-thirds majority of those members present and voting

to remove the member from office.

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8 Amended by Canon 14, 2010.
9 Added by Canon 14, 2010.
10 Amended by Canon 11, 2017.

6. (1) The convenor of the ESC shall be appointed by the Standing Committee.

(2) The ESC may meet from time to time as determined by the convenor or a majority of its members and may conduct its business by telephone or electronic communication.

(3) Subject to this Canon the procedures of the ESC shall be as determined by the ESC.

(4) A majority of the members shall constitute a quorum.

(5) A decision taken other than at a meeting of the ESC, if supported by a majority of members of the ESC, constitutes a decision of the ESC.

(6) The ESC shall act in all things as expeditiously as possible.

7. An act or proceeding of the ESC is not invalid by reason only of a vacancy in its membership and, notwithstanding the subsequent discovery of a defect in the nomination or appointment of a member, any such act or proceeding is as valid and effectual as if the member had been duly nominated or appointed.

8. Subject to the provisions of this Canon, the Director, a member of the ESC and a person employed or engaged on work related to the affairs of the ESC must not divulge information that comes to his or her knowledge by virtue of that office or position except:

(a) in the course of carrying out the duties of that office or position;

(b) as may be authorised by or under this or another Canon;

(c) in any proceedings before the Special Tribunal;

(d) as may be required by law; or

(e) to any insurer or insurance broker of a Church body where the information may give rise to or be relevant to a claim for indemnity by the Church body against the insurer or is relevant to obtaining or continuing insurance cover.

9. Subject to section 51, the ESC may release to the public such material as it may determine with respect to any complaint.

10. (1) Without disclosing the identity of any complainant or the respondent, the ESC shall report annually to the Standing Committee on its activities for that calendar year.

(2) Notwithstanding subsection (1), the report of the ESC pursuant to that subsection may identify a respondent who has been exonerated from an allegation the subject of a complaint or who has been the subject of a determination or recommendation by the Tribunal.

(3) Subject to sub-section (4) the ESC shall, in respect of every matter with which it is dealing, report either orally or in writing to the Primate with such frequency and as fully as the Primate may reasonably require.

(4) If the matter relates to the conduct of the Primate, such reports shall be made to and at the direction of the senior Metropolitan at the time in Australia who is not the Primate.

11. (1) Subject to sub-section (2), the ESC may delegate, upon such terms and conditions as the ESC may approve, any of its powers or functions under this Canon to any person.

(2) The ESC cannot delegate:

(a) its powers under subsection (1);

(b) its powers under section 12(1)(g); or

(c) its powers under section 22.

(3) A delegation under this section must be made by instrument in writing signed by a member of the ESC.

12. (1) Subject to the provisions of this Canon the ESC has the following powers and duties:

(a) to receive complaints;

(b) to investigate the subject matter of complaint in a timely and appropriate manner;

(c) where appropriate to arrange for the conciliation and mediation of any complaint;

(d) where the complaint relates to an alleged offence against the law of a State or Territory of the Commonwealth or against a law of the Commonwealth, to refer any information in its possession to a member of the appropriate law enforcement, prosecution or child protection authority and to co-operate as far as possible with any such authority;

(e) to maintain proper records of all complaints received and of action taken in relation to such complaints;

(f) subject to any limit imposed by the Standing Committee to authorise such expenditure on behalf of the General Synod as may be necessary to implement, in a particular case, the provisions of this Canon;

(g) to promote a charge against a Bishop before the Tribunal.

(2) In exercising its powers under this Canon the ESC may, where it considers it to be appropriate, adopt the provisions of the protocol.

13. (1) The ESC shall only take action in respect of a complaint alleging an offence mentioned in the First Schedule where the complaint relates to conduct or an omission alleged to have occurred not more than twelve calendar months prior to the date on which the complaint is received by the ESC.

(2) For the purposes of this section a complaint will be deemed to have been received by the ESC when received at the office of the General Secretary of the General Synod or, if posted by certified or registered mail to the Director or to the General Secretary of the General Synod, forty-eight hours after the posting of the complaint.

PART 3 – DIRECTOR OF EPISCOPAL STANDARDS COMMISSION

14. (1) There shall be a Director of the Episcopal Standards Commission.

(2) The Director shall be appointed by and shall hold office in accordance with a resolution of the Standing Committee.

15. The Director shall have the following functions:

(a) to be the executive officer of the ESC;

(b) to attend meetings of the ESC unless the ESC in respect of a particular meeting or part of a meeting shall otherwise determine;

(c) such other functions and duties as may be prescribed by this or any other Canon or as may be determined by the Standing Committee or the ESC.

16. The Director may act in a corresponding capacity for a diocese either generally or for a particular case or matter.

PART 4 – COMPLAINTS

17. A person may make a complaint against a Bishop by writing signed by the person making the complaint.

18. Subject to this Canon, when the ESC receives a complaint it shall investigate the allegations contained in the complaint.

18A. [11] When the ESC has commenced an investigation of information under this Part, it must conduct an initial assessment to identify any risks to children and must take whatever steps are reasonably available and practicable to minimise risks identified.

19. The ESC may refrain from further investigation of the allegations if:

(a) in its opinion, the allegations are vexatious or misconceived, or their subject matter is trivial;

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11 Added by Canon 11, 2022.

(b) the subject matter is under investigation by some other competent person or body or is the subject of legal proceedings;

(c) the person making the complaint has failed, when requested by the ESC, to provide further particulars or to verify the allegations by statutory declaration; or

(d) in its opinion there is insufficient reliable evidence to warrant an investigation or further investigation.

20. For the purpose of an investigation the ESC or an investigator shall endeavour to obtain such statutory declarations, written statements, recorded conversations, reports, documents and other material as the ESC or its delegate considers necessary or desirable.

21. (1) The ESC must by notice in writing allow the respondent to provide a detailed report to the ESC within the time specified in the notice in relation to any matter relevant to the investigation, and must provide a summary of the complaint including the substance of the allegations and the name of the complainant.

(2) If a respondent declines to answer a question on the ground that the answer might tend to incriminate the person a written record shall be made of the question and of the ground of refusal.

22. At any time after the commencement of an investigation into a complaint against a Bishop under this Part the ESC may:

(a) if it considers on reasonable grounds that the Bishop may be incapable, report the matter in writing to the relevant Metropolitan, and such report shall be a report for the purposes of section 4 of the Bishops (Incapacity) Canon 1995 as if it were made by three members of the synod of a diocese pursuant to that section;

(b) subject to section 43, institute proceedings by way of charge against a bishop before the Tribunal; or

(c) in the event that the bishop whose conduct is under investigation ceases to be a Bishop, refer the matter, together with such information as it shall have received, to the bishop of the diocese in which the former Bishop then resides.

23. (1) The fact that the subject matter of a complaint may be settled or resolved in whole or in part between the parties affected thereby does not prevent the ESC from taking any of the steps referred to in section 22 in respect of the subject matter of the complaint.

(2) Any term of settlement or resolution referred to in sub-section (1) which purports to prevent or to limit the institution of proceedings by way of charge against a bishop shall be of no effect.

(3) [12] Proceedings shall not be instituted or maintained in the Tribunal where the bishop concerned has relinquished or has been deposed from Holy Orders in accordance with the Holy Orders (Removal from Exercise of Ministry) Canon 2017.

12 Amended by Canon 18, 2017.

24. If:

(a) following the receipt of a complaint, the ESC, under section 19, refrains from further investigation of the allegations contained in the complaint;

(b) the ESC does not arrange for the conciliation and mediation of the complaint, or

(c) following an investigation, under this Part, of the allegations contained in a complaint, the ESC does not bring a charge, under section 43, against the bishop in respect of whom the complaint is made, or

the ESC must, without delay, provide the person who made the complaint with full and complete reasons, in writing, for its decision.

PART 5 – THE SPECIAL TRIBUNAL

25. (1) The members of the Tribunal shall be appointed from a panel comprising:

(a) A senior presidential member and another presidential member each of whom is qualified to be a lay member of the Appellate Tribunal;

(b) three Bishops; and

(c) three priests of at least seven years' standing;

elected by General Synod in accordance with any Rule of General Synod for the conduct of elections.

(2) In the event that a presidential member is nominated for election as the senior presidential member or that an election is otherwise required for the two presidential members, an election for both presidential members shall be held at the same time and the person with the highest number of votes shall be the senior presidential member and the person with the next highest number of votes shall be the other presidential member.

26. (1) Subject to sub-section (2), a member of the panel shall cease to hold office upon:

(a) death;

(b) resignation;

(c) [13] declaration by any competent court or tribunal that the member is incapable of managing his or her affairs;

(d) ceasing to reside permanently in Australia;

(e) conviction or finding of guilt in any court of any offence punishable by imprisonment;

(f) in the case of a Bishop, ceasing to be a Bishop or on becoming the Primate;

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13 Amended by Canon 14, 2010.

(g)[14] in the case of a priest, on becoming a bishop;

(ga)[15] the conclusion of the third ordinary session of the General Synod at which the person was elected, but may be re-elected, in which case, for the purposes of this paragraph, the date of election shall instead be the date of re-election; and

(h)[16] in any event at the commencement of the ordinary session of General Synod which shall take place next after the member attains the age of 75 years.

(1A)[17] For the purposes of sub-section 1 (ga), a person who is a member of the panel at the time that sub-section commences and to whom that sub-section would otherwise apply, except for the operation of this sub-section, will cease to hold office at the conclusion of the ordinary session General Synod held immediately next after the date on which sub-section 1 (ga) commences.

(2)[18] A member of the panel who is a member of the Tribunal for particular proceedings of the Tribunal shall continue to hold office until the completion of the proceedings notwithstanding that the member may cease to be a Bishop or may otherwise cease to be a member of the panel by virtue of age or the operation of sub-section 1 (ga).

27.[19] Any Bishop who vacates office upon ceasing to be a Bishop, having accepted appointment to a different office of Bishop, shall, upon installation as Bishop in the different office, be automatically re-appointed to the panel or the Tribunal as the case may be and, in the case of such a re-appointment, sub-section 26 (1) (ga) shall operate from the date of election or most recent re-election whether or not to the earlier office of a Bishop, without reference to that re-appointment.

28.[20] If any vacancy in the membership of the panel occurs while the General Synod is not in session and it becomes necessary or desirable for the vacancy to be filled before the next ordinary session of the General Synod, the Primate shall cause the General Secretary to notify the members of the General Synod that such vacancy is to be filled, to invite the submission of names of candidates for nomination, and to notify them of the date fixed by the Primate, being a date not less than six weeks after posting such notification, by which names should be submitted. If no more names are received than the number of vacant positions to be filled, the General Secretary shall declare the persons named to be elected to the panel. Otherwise, the General Secretary shall conduct a postal ballot of the members of General Synod to determine the person or persons to be elected, such ballot to be conducted in accordance with the rules for the time being in force for the conduct of ballots with such modifications as are necessary, and the General Secretary shall declare the person or persons who are successful in such ballot to be the person or persons elected by the General Synod to the panel. Upon the Secretary declaring a person to be elected to the panel, the person or persons shall become a member or

14 Amended by Canon 10, 2022.
15 Added by Canon 10, 2022.
16 Amended by Canon 11, 2017.
17 Added by Canon 10, 2022.
18 Amended by Canon 10, 2022.
19 Amended by Canon 10, 2022.
20 Amended by Canon 10, 2022.

members of the panel. For the purposes of sub-section 26 (1) (ga), the person or persons shall be deemed to have been elected at the ordinary session General Synod held immediately next after the appointment of the person or persons under this sub-section.

29. Any vacancy not filled pursuant to section 27 or section 28 shall be filled at the next ordinary session of the General Synod by the election by the General Synod of a person qualified to fill the vacancy.

30. The members of the panel to be convened for any sitting of the Tribunal shall be appointed by the senior presidential member or, if he or she is unwilling or unable to act, or if there is a vacancy in the office of senior presidential member, by the other presidential member.

30A.[21] A member of the panel must without delay disclose to the senior presidential member, or if there is a vacancy in the office of senior presidential member to the other presidential member, any conflict of interest that the member has in relation to a matter before the Tribunal.

30B.[22] Where—

(a) a member of the panel has disclosed a conflict of interest under section 30A; or

(b) in the opinion of the senior presidential member, or if there is a vacancy in the office of senior presidential member in the opinion of the other presidential member, a member of the panel has a conflict of interest in relation to a matter before the Tribunal—

that member is disqualified from participating in the matter.

31. (1) The Rules of the Tribunal made under this Part may provide that, in relation to the exercise of specified functions, or in relation to matters of a specified class, the Tribunal may, at the direction of the President, be constituted by a single member sitting alone.

(2) The Tribunal constituted by a single member sitting alone cannot determine a charge or make a recommendation as to sentence.

32. The Tribunal, separately constituted in accordance with this Part, may sit simultaneously for the purpose of matters referred to it or for conducting separate business of the Tribunal.

33. An act or proceeding of the Tribunal is not invalid by reason only of a vacancy in its membership or the membership of the panel and, notwithstanding the subsequent discovery of a defect in the nomination or appointment of a member of the panel or the Tribunal, any such act or proceeding is as valid and effectual as if the member had been duly nominated or appointed.

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21 Added by Canon 11, 2022.

22 Added by Canon 11, 2022.

34. The Registrar of the Tribunal shall be the General Secretary of the General Synod.

35. (1) The place and time of sitting of the Tribunal shall be as determined by the President of the Tribunal.

(2) In any proceedings of the Tribunal where the Tribunal is constituted by two or more members:

(a) any question of law or procedure will be determined by the President; and

(b) any other question will be determined by majority decision of the members, and in the case of an equality of votes the opinion of the President shall prevail.

(3) Where the Tribunal is constituted by a member sitting alone who is not the President, any question of law that arises must be referred to the President for decision and any decision made on such a reference is a decision of the Tribunal.

(4) The Tribunal must act with fairness and according to equity, good conscience and the substantial merits of the case without regard to technicalities or legal forms and is not bound by the rules of evidence but may inform itself on any matter in such manner as it thinks fit.

(5) Without limiting the meaning and effect of sub-section (4), the Tribunal may receive evidence of a witness in the form of an affidavit, statutory declaration or a signed statement without the need for the personal attendance of the witness, and may also use electronic means such as video link or conference telephone to receive evidence and submissions, but must permit the respondent and his representative (if any) opportunity to adequately cross-examine each witness

(6) The Tribunal may inform itself from the record of any court or tribunal and may adopt any findings, and accept as its own, the record of any court or tribunal.

36. The Tribunal must give reasons for any determination, other than by way of directions in the course of a proceeding, unless the determination is made by consent of the respondent.

37. At any hearing before the Tribunal or before a member of it the ESC and the bishop may be represented by a legal practitioner or, with leave of the Tribunal, by any other person.

38. A decision of the Tribunal is the decision of a majority of the Tribunal.

39. At any time during the course of a hearing the Tribunal may, if it sees fit, obtain the opinion of the Board of Assessors of the Appellate Tribunal.

40. The Tribunal may make an order by consent of the parties before it.

41. (1) The Tribunal has no power to award costs of any proceedings before it.

(2) A bishop who is the subject of a charge before the Tribunal may apply to the Standing Committee for the provision of legal assistance.

(3) The Standing Committee may grant legal assistance to the bishop on such terms and subject to such conditions as it shall determine.

42. (1) The presidential members of the panel may make rules of the Tribunal in relation to the practice and procedure of the Tribunal.

(2) Subject to this Canon and the relevant rules, the practice and procedure of the Tribunal will be as directed by the President of the Tribunal.

PART 6 – PROMOTION OF A CHARGE BEFORE THE SPECIAL TRIBUNAL

43. (1)[23] Subject to this section, a charge against a Bishop in the Tribunal may be brought:

(a) by the ESC;

(b) by another Bishop; or

(c) in respect of a Bishop holding office or a licence in a diocese, in accordance with the provisions of an ordinance of the synod of that diocese.

[24]***

(2)[25] Subject to subsection (3), the synod of a diocese may by ordinance declare that paragraph (a) of subsection (1) shall have no effect in respect of the Bishop of that diocese, in which case paragraph (a) of subsection (1) will not apply to that Bishop.

(3)[26] Despite subsection (2), a declaration under subsection (2) –

(a) shall not affect any proceedings in respect of a charge brought before such ordinance takes effect; and

(aa)[27] does not limit the powers of the ESC to investigate an allegation or complaint or to bring a charge in relation to a matter that would constitute examinable conduct under the Episcopal Standards (Child Protection) Canon 2017; and

(b) does not limit in any other respect the powers of the ESC contained in this or any other Canon in force in a diocese.

(4) In respect of a charge brought pursuant to paragraph (c) of subsection (1) against the Bishop of a diocese in respect of whom there is in force a declaration under subsection (2), the General Synod shall not be responsible for the costs of bringing such a charge.

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23 Amended by Canon 11, 2022 and amended by Canon 15, 2026.
24 Subsection (1A) inserted by Canon 11, 2022 was repealed by Canon 15, 2026.
25 Amended by Canon 15, 2026.
26 Amended by Canon 15, 2026.
27 Added by Canon 15, 2026.

(5) In respect of a charge brought pursuant to –

(a) paragraph (b) of subsection (1), or

(b) paragraph (c) of subsection (1) where there is no declaration under subsection (2) in force in respect of that Bishop,

the Special Tribunal or the Appellate Tribunal as the case may be may direct the General Synod to indemnify the person or body who or which brought the charge in respect of the costs of bringing the charge, and the General Synod will indemnify such person or body accordingly.

44. (1) A charge against a Bishop must:

(a) be in writing;

(b) specify the alleged offence and provide particulars of the alleged offence;

(c) be signed by a member of the body or the person bringing the charge; and

(d) be lodged with the Registrar.

(2) A signed copy of the charge shall be served on the Bishop personally or by leaving it at or posting it to the office of the Bishop's Registry in an envelope addressed to the bishop and marked "**Private and Confidential**".

(3) A charge, once instituted, may be amended or withdrawn by the person or body which instituted it.

(4) Amendment or withdrawal of a charge does not prevent another person or body from bringing or proceeding with a charge in terms the same as or similar to a charge before it was amended or withdrawn.

PART 7 – PROCEEDINGS BEFORE THE SPECIAL TRIBUNAL

45. (1) Upon lodgement of a charge with the Registrar, the presidential member referred to in section 30 shall as soon as possible appoint the members of the Tribunal for the purpose of hearing the charge.

(2) The President of the Tribunal shall thereupon cause to be convened a directions hearing presided over by a member of the Tribunal.

(3) The person or body bringing the charge and the bishop shall comply with the rules of the Tribunal and with any directions given by a member of the Tribunal at a directions hearing.

46. (1) The Tribunal shall deal with any charge as expeditiously as possible.

(2) The Tribunal may, if it sees fit, proceed with the hearing of a charge notwithstanding that there may be mediation or conciliation proceedings relating to the subject matter of the charge being conducted by the ESC and notwithstanding that there may be criminal or other proceedings being taken against the bishop.

(3) Subject to section 23(3) the Tribunal may make a recommendation notwithstanding that the bishop the subject of the charge has ceased, after lodgement of the charge with the Registrar, to be a Bishop.

47. (1) Subject to sub-section (2), the Tribunal must give the following persons reasonable notice of the time and place of a sitting of the Tribunal:

(a) the person or body bringing the charge; and

(b) the respondent; and

(c) such other persons as the Tribunal believes have a proper interest in the matter.

(2) The Tribunal is not obliged to give notice of a sitting to a person whose whereabouts cannot, after reasonable enquiries, be ascertained.

48. (1) Subject to sub-section (2), a sitting of the Tribunal on a reference before the Tribunal is an open sitting.

(2) On any such sitting before the Tribunal, the Tribunal has an absolute discretion to direct that persons other than -:

(a) the respondent and any person representing the respondent in the proceedings; and

(b) witnesses or persons making submissions (while giving evidence or making those submissions); and

(c) officers of the Tribunal or persons assisting the Tribunal; or

(d) the person or members of the body bringing the charge or their representatives;

not be present in the room while the Tribunal is sitting.

49. The Tribunal may make a determination in any proceedings in the absence of a person affected by the determination if satisfied that reasonable efforts were made to give that person an opportunity to appear.

50. In making any determination the Tribunal shall take into account:

(a) the conduct of the bishop as it finds it to have been; and

(b) in the material before the Tribunal, any other fact or circumstance relevant to the determination of the question before it.

51. (1) At any time after the first directions hearing the Tribunal or, if so authorised by the Tribunal, the person or body bringing the charge, may make public a statement concerning the nature of the charge and the bishop against whom the charge is brought.

(2) Upon the determination of any charge by the Tribunal and the recommendation of any sentence by the Tribunal, the Tribunal, or if so authorised by the Tribunal, the person or body bringing the charge, may make public a statement of the decision and, where appropriate, concerning the nature of the charge proved and the sentence imposed by the Tribunal, together with such reasons or a summary thereof as the Tribunal shall direct or approve.

52.[28] In a case where entry is required under the *National Register Canon 2007*, a recommendation of the Tribunal, or the date and particulars of the recommendation, shall be entered on the National Register together with a record of any action taken consequent upon the recommendation.

53. Any appeal to the Appellate Tribunal from the Tribunal, other than in respect of a breach of faith, ritual or ceremonial, shall be by leave of the Appellate Tribunal.

PART 8 – DEPOSITION FROM ORDERS

54. (1) The deposition of a bishop from Holy Orders by the Primate pursuant to the recommendation of the Tribunal shall be effected by the execution by the Primate of an Instrument of Deposition in or to the effect of the form in the Second Schedule.

(2) The Primate must forthwith:

(a) register the Instrument in the Registry of the Primate;

(b) deliver a copy of the Instrument to the bishop of the diocese or dioceses in which the former Bishop who is the subject of the Instrument was ordained priest and bishop;

(c) if the former Bishop was a diocesan bishop, deliver a copy of the Instrument to the registrar of the diocese concerned; and

(d) cause relevant details to be forwarded for entry into the National Register.

[28] Amended by Canon 8, 2014.

PART 9 – TRANSITIONAL

55. The persons named hereunder shall hold the respective offices until their successors are appointed or elected in accordance with the provisions of this Canon:

Episcopal Standards Commission
Convenor: Mr Geoffrey Spring
Members: Ms Margaret Fuller, OAM; The Right Rev'd Ronald Stone.

Director of the Episcopal Standards Commission:
Ms Rena Sofroniou

Special Tribunal Panel

Senior Presidential Member:	Sir Robert Woods, CBE.
Presidential Member:	The Hon Justice Debra Mullins
Diocesan Bishops:	The Most Rev'd Jeffrey Driver
	The Most Rev'd Philip Freier
	The Right Rev'd John Harrower
Priests:	The Rev'd Canon Dr Colleen O'Reilly
	The Ven. Dr Chris R Jones
	The Very Rev'd Andrew J Sempell

FIRST SCHEDULE

(Section 13(1))

1 Any breach of faith, ritual or ceremonial;

2 Drunkenness;

3 Wilful failure to pay just debts.

4[29] [30] [deleted]

SECOND SCHEDULE

TO

I, PRIMATE/ARCHBISHOP of
do hereby depose you from Holy Orders (particulars of which are set out below) in accordance with the recommendation of the Special Tribunal of the Anglican Church of Australia dated the day of

PARTICULARS OF HOLY ORDERS

FULL NAME AND ADDRESS

	ORDAINING BISHOP(S)	PLACE	DATE
ORDINATION AS DEACON	……	……..	…….
ORDINATION AS PRIEST	……	……..	…….
CONSECRATION AS BISHOP	……	……..	…….

DATED:

SEALED

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[29] Amended by Canon 3, 2014.
[30] Deleted by Canon 12, 2017.

SPECIAL TRIBUNAL CANON 2026

Canon 8, 2026

A canon to provide for the investigation of matters which may become the subject of a charge before the Special Tribunal and to provide for the appointment and procedure of the Special Tribunal

The General Synod prescribes as follows:

PART 1 - PRELIMINARY

Title

1. This Canon may be cited as the "Special Tribunal Canon 2026".

Interpretation

2. (1) In this Canon, unless the context otherwise requires:

Bishop means a person in respect of whom the Special Tribunal has jurisdiction under section 56(6) of the Constitution;

bishop means a person in bishop's orders;

child abuse has the same meaning as in the Offences Canon 1962;

Church means the Anglican Church of Australia;

Church body includes the Primate, the General Synod, a diocese, diocesan synod, diocesan council, diocesan trustee or trust corporation or other body responsible for administering the affairs of a diocese, or an institution or agency of this Church or of a diocese;

Commonwealth means the Commonwealth of Australia;

complaint means a complaint against a Bishop alleging a breach of faith, ritual, ceremonial or discipline or alleging an offence under a Canon;

current Bishop means a person who is—

(a) a member of the House of Bishops; or

(b) a bishop assistant to the Primate in their capacity as Primate;

Director means the Director of Episcopal Standards appointed under Part 3;

Episcopal Standards Commission or **ESC** means the Episcopal Standards Commission established under Part 2;

incapable means incapable for the purposes of the Bishop (Incapacity) Canon 1995;

investigator means a person appointed under section 15;

National Register means a National Register established pursuant to a Canon of General Synod for a purpose which includes the recording of determinations of the Tribunal;

priest means a person who is in priest's orders and who is not a bishop;

protocol means the protocol approved under Part 4;

relevant Metropolitan, means—

(a) in relation to a Diocesan bishop—

(i) unless paragraph (iii) or (iv) applies, the Metropolitan of the Province in which the diocese is situated; or

(ii) if the diocese is an extra-provincial diocese, the Primate; or

(iii) if the Diocesan bishop is the Metropolitan but not the Primate, the Primate; or

(iv) if the Diocesan bishop is the Primate, the person who, at the relevant time, is the next most senior Metropolitan who is available, seniority being determined by the date of consecration; and

(b) in relation to any other Bishop, the Primate;

respondent means a Bishop whose alleged conduct or omission is the subject of a complaint;

rules mean rules made under section 61;

senior presidential member means the person who becomes the senior presidential member under section 34 or, if that person is unwilling or unable to act, or if there is a vacancy in the office of senior presidential member, the other or next most senior presidential member;

Subsection 39(2) Exclusion means an ordinance made by the synod of a diocese under subsection 39(2) that has not been revoked by that synod;

Tribunal means the Special Tribunal.

(2) For the purposes of this Canon, a person has a conflict of interest when their responsibilities arising from their role may be influenced or affected, or may be perceived as being influenced or affected, by—

(a) their personal financial interest, or those of their family or friends;

(b) their reputation, or that of their family or friends;

(c) their obligations or loyalty to another person or organisation;

(d) their previous or current relationship (whether personal or professional) with someone who might be affected by how they discharge those responsibilities; or

(e) their previous or current involvement in another capacity in a matter now falling within those responsibilities.

Effect of Subsection 39(2) Exclusion

3. (1) The Director and the ESC have no powers or duties under this canon, other than a duty under subsections (2) and (3), in relation to a diocese or its Diocesan bishop while there is a Subsection 39(2) Exclusion in effect in relation to that diocese.

(2) Subject to subsection (3), if the Director receives a complaint in relation to a Diocesan bishop while there is a Subsection 39(2) Exclusion in effect in relation to that diocese, the Director must refer the complainant and the complaint:

(a) where the diocese is part of a province and the complaint is not in respect of the Metropolitan of that province, to the Metropolitan of that province;

(b) where the diocese is part of a province and the complaint is in respect of the Metropolitan of that province, to the Metropolitan of another province, and

(c) where the diocese is not part of a province, to a Metropolitan.

(3) This section does not apply to, and a Subsection 39(2) Exclusion does not operate to alter or affect, the powers and duties of the Director or the ESC in relation to a complaint, investigation or charge concerning a matter listed in the Third Schedule.

PART 2 – EPISCOPAL STANDARDS COMMISSION

Episcopal Standards Commission

4. There is an Episcopal Standards Commission.

Composition of Episcopal Standards Commission

5. (1) The ESC has at least three members.

(2) The membership of the ESC must collectively provide—

(a) experience in law;

(b) a person in bishop's orders who is not a Bishop; and

(c) experience and appropriate professional qualifications in child protection, social work or counselling.

(3) So far as is reasonably practicable the ESC must have an equal number of men and women.

Membership of Episcopal Standards Commission

6. (1) The members of the ESC are appointed by the Standing Committee.

(2) A member of the ESC holds office for a term of not more than 5 years (which may be renewed) and on such other terms and conditions as may be determined by the Standing Committee from time to time.

(3) If a member of the ESC is unable to undertake their role by reason of incapacity or conflict of interest, the Standing Committee may appoint an additional member to the ESC in accordance with this Canon for such period as the Standing Committee may determine.

When ESC members cease to hold office

7. A member of the ESC ceases to hold office upon—

(a) their death;

(b) their resignation;

(c) a declaration by a competent court or tribunal that the member is incapable of managing their affairs;

(d) ceasing to reside permanently in Australia;

(e) conviction or finding of guilt of the member in any court of an offence punishable by imprisonment;

(f) becoming a current Bishop;

(g) reaching the age of 75 years; or

(h) the passing of a resolution by–

(i) the Standing Committee by a two-thirds majority of those members present and voting, or

(ii) the General Synod voting as a whole passed by a two-thirds majority of those members present and voting—

to remove the member from office.

ESC Convenor

8. (1) The convenor of the ESC is appointed by the Standing Committee.

(2) The ESC may meet from time to time as determined by the convenor or a majority of its members and may conduct its business by telephone or electronic communication.

(3) Subject to this Canon the procedures of the ESC are as determined by the ESC.

(4) A majority of the members constitutes a quorum.

(5) A decision taken other than at a meeting of the ESC, if supported by a majority of members of the ESC, constitutes a decision of the ESC.

(6) The ESC must act in all things as expeditiously as possible.

ESC vacancy does not invalidate acts or proceedings

9. An act or proceeding of the ESC is not invalid by reason only of a vacancy in its membership and, notwithstanding the subsequent discovery of a defect in the nomination or appointment of a member, any such act or proceeding is as valid and effectual as if the member had been duly nominated or appointed.

Information not to be divulged

10. Subject to the provisions of this Canon, the Director, a member of the ESC and a person employed or engaged in work related to the affairs of the ESC must not divulge information that comes to their knowledge by virtue of that office or position except—

(a) in the course of carrying out the duties of that office or position;

(b) as authorised by or under this or another Canon;

(c) in any proceedings before the Special Tribunal;

(d) as may be required by law; or

(e) to any insurer or insurance broker of a Church body where the information may give rise to or be relevant to a claim for indemnity by the Church body against the insurer or is relevant to obtaining or continuing insurance cover.

Annual report by the Director

11. (1) The Director must report annually to the Standing Committee on the Director's activities for that calendar year.

(2) Subject to subsection (3), the Director's report must not disclose the identity of a complainant or the respondent.

(3) The Director may disclose the identity of a respondent where the respondent has been exonerated from an allegation the subject of a complaint or has been the subject of a determination or recommendation by the Tribunal.

(4) Subject to subsection (5) the Director must, in respect of every matter with which the Director is dealing, report either orally or in writing to the Primate with such frequency and as fully as the Primate may reasonably require.

(5) If a matter relates to the conduct of the Primate, a report under subsection (3) must be made to and at the direction of the senior Metropolitan at the time in Australia who is not the Primate.

Powers and duties of the ESC

12. (1) Subject to the provisions of this Canon, the ESC has these powers and duties:

(a) to implement the protocol to the extent that the protocol is not inconsistent with this Canon;

(b) where appropriate, to recommend to the Standing Committee any changes to the protocol and to any Canon conferring powers or duties on the ESC;

(c) to oversee the Director's performance of their functions;

(d) to determine the additional functions of the Director;

(e) to conduct or to arrange for a suitably qualified person to audit the Director's performance of their functions at any time and to obtain from the Director such records and explanations as are necessary to complete that audit;

(f) following an audit under paragraph (d)—

(i) to take such remedial actions recommended by the audit report that are within its power; and

(ii) to report to the Standing Committee on the remedial actions recommended by the audit report that are not within its power;

(g) subject to any limit imposed by the Standing Committee, either generally or in a particular case, to authorise such expenditure on behalf of the General Synod as may be necessary to give, in a particular case, the provisions of this Canon, the protocol or the rules; and

(h) to exercise such other powers and functions as are conferred on it by this or any other Canon; and

(i) to report annually to the Standing Committee on its activities and decisions under this Canon.

(2) The power of the ESC to oversee the Director's performance of their functions does not include a power to alter or override an action or decision of the Director, including the exercise of any discretion by the Director, under this Canon.

PART 3 – DIRECTOR OF EPISCOPAL STANDARDS

Director of Episcopal Standards

13. (1) There is a Director of Episcopal Standards.

(2) The Director is appointed by and holds office in accordance with a resolution of the Standing Committee.

Director's functions

14. The Director has these functions:

(a) to be the executive officer of the ESC;

(b) to attend meetings of the ESC unless the ESC in respect of a particular meeting or part of a meeting otherwise determines;

(c) to appoint suitable persons to fulfil the several roles required to implement the protocol in each particular case;

(d) to receive complaints;

(e) to investigate the subject matter of complaints in a timely and appropriate manner;

(f) where the complaint relates to an alleged offence against the law of a State or Territory of the Commonwealth or against a law of the Commonwealth, to refer any information in their possession to a member of the appropriate law enforcement, prosecution or child protection authority and to co-operate as far as possible with any such authority;

(g) to refer any information in their possession to a member of a law enforcement, prosecution or child protection authority of a State or Territory or of the Commonwealth of Australia to which the information is or may be relevant;

(h) to advise any relevant Church body as to the financial, pastoral or other needs of a person affected or allegedly affected by conduct the subject of complaint and as to any possible or actual legal proceedings against such Church body arising out of the alleged conduct of a Bishop;

(i) to bring charges under this canon;

(j) to maintain proper records of all complaints and information received and of action taken in relation to such complaints and information;

(k) to report either orally or in writing to the ESC in respect of every matter with which they are dealing, with such frequency and as fully as the ESC requires; and

(l) to exercise the powers conferred on, and to perform the duties imposed on, the Director by or under this Canon and the Protocol and rules made under this Canon or that are determined by the Standing Committee or the ESC.

Director may appoint an investigator

15. The Director may appoint a person to investigate, or to assist the Director in investigating, a complaint.

General Secretary may engage temporary support

16. During a period when the Director is unavailable, or when there is no Director, the General Secretary, after consultation with the Director (or, when there is no Director, with the chair of the ESC) may engage a person temporarily to discharge the administrative functions of the office.

Director acting in a corresponding capacity

17. The Director may act in a corresponding capacity for a diocese either generally or for a particular case or matter.

PART 4 – THE PROTOCOL

Approving a protocol

18. (1) The Standing Committee must from time to time approve a protocol in relation to complaints.

(2) The protocol must include provisions and procedures in relation to:

(a) making and receiving complaints;

(b) explaining the processes for investigating and dealing with complaints;

(c) informing complainants, victims of alleged conduct the subject of complaints, and respondents of relevant procedures applicable to them;

(d) as and when appropriate, providing non-pecuniary support to complainants, victims of alleged conduct the subject of complaints, and respondents;

(e) providing victim impact statements to the Special Tribunal before a sentence is decided;

(f) dealing fairly with respondents;

(g) the cost of legal assistance under section 59(2);

(h) mediation and conciliation in appropriate circumstances, including how such mediation or conciliation is arranged and funded;

(i) providing information, reports, advice and recommendations to the Primate, the relevant Metropolitan and to the relevant Administrator at each stage of the process of dealing with information; and

(j) working, where appropriate, with law enforcement, prosecution or child protection authorities of the States and Territories and of the Commonwealth of Australia.

(3) The Standing Committee, through the ESC and by such other means as it may consider appropriate, must take such steps as may be necessary or desirable to promote throughout the Church a knowledge and understanding of the protocol.

PART 5 – COMPLAINTS

DIVISION 1 – RECEIVING AND DEALING WITH COMPLAINTS

Making a complaint

19. A person may make a complaint against a Bishop as required and provided for in the protocol.

Duty to investigate complaint

20. (1) Subject to this Canon, the Director on receiving a complaint must investigate the allegations contained in it.

(2) The Director must not take action in respect of a complaint alleging an offence in the First Schedule where the complaint relates to conduct or an omission alleged to have occurred more than twelve calendar months prior to the date on which the complaint is received by the Director.

(3) For the purposes of subsection (2) a complaint is considered to have been received by the Director when it is received at the office of the General Secretary of the General Synod or, if posted by certified or registered mail to the Director or to the General Secretary of the General Synod, forty-eight hours after the posting of the complaint.

Director may commence or continue investigation of own motion

21. Where—

(a) no complaint has been made; or

(b) the person making the complaint fails, when requested by the Director, to provide further particulars or to verify the allegations by statutory declaration —

and the Director considers that there are compelling reasons in all the circumstances on the basis of information already available to them to commence or continue an investigation, the Director may commence or continue that investigation.

Assessment of risks to children

22. After commencing an investigation under this Part, the Director must conduct an initial assessment to identify any risks to children and must take whatever steps are reasonably available and practicable to minimise risks so identified.

Reporting to government authorities

23. Where the law of the Commonwealth or any State or Territory requires that an allegation relating to the safety or well-being of a child be reported to an agency of the Commonwealth or that State or Territory, the Director must report any such allegation in a complaint to that agency in the time and manner required by that law, whether or not some other person or entity within the church may also do so or have done so.

Refraining from further investigation

24. The Director with the concurrence of the ESC may refrain at any time from further investigation of the allegations if—

(a) in the Director's opinion, the allegations are vexatious or misconceived, or their subject matter is trivial;

(b) the alleged conduct, if proven, could not constitute an offence under the Offences Canon 1962;

(c) the allegations, either expressly or by implication, are that the conduct is disgraceful and, in the Director's opinion—

(i) the allegations if proven could not constitute an offence under any item in section 2 of the Offences Canon 1962 other than Item 4; and

(ii) the available evidence could not support the conclusion that the Bishop in relation to those allegations was not acting in the honest and lawful discharge of the Bishop's duties;

(d) the subject matter is under investigation by some other competent person or body or is the subject of legal proceedings;

(e) the person making the complaint has failed, when requested by the Director, to provide further particulars or to verify the allegations by statutory declaration; or

(f) in the Director's opinion there is insufficient reliable evidence—

(i) to warrant an investigation or further investigation; or

(ii) to prove an offence.

Information to be obtained

25. For the purpose of an investigation the Director or an investigator must endeavour to obtain such statutory declarations, written statements, recorded conversations, reports, documents and other material as they consider necessary or desirable.

Respondent to receive summary of complaint

26. The Director must by notice in writing—

(a) provide to a respondent a summary of the complaint including the substance of the allegations and the name of the complainant; and

(b) allow the respondent to provide a detailed report within the time specified in the notice in relation to any matter relevant to the investigation.

What the Director may do

27. (1) At any time after the commencement of an investigation into a complaint against a Bishop under this Part the Director may with the concurrence of the ESC—

(a) if the Bishop is a current Bishop and they consider on reasonable grounds that that Bishop may be incapable, report the matter in writing to the relevant Metropolitan;

(b) subject to section 39, institute proceedings by way of charge against the Bishop before the Tribunal; or

(c) if the person whose conduct is under investigation ceases to be a current Bishop and the complaint is not in respect of an offence under section 2A of the Offences Canon 1962, refer the matter, together with such information as it has received, to the Diocesan bishop of the diocese in which the person now resides.

(2) A report under subsection (1)(a) is a report for the purposes of section 4 of the Bishops (Incapacity) Canon 1995 as if it were made by three members of the synod of a diocese for the purposes of that section.

Director may proceed despite resolution of dispute

28. (1) The settlement or resolution of the subject matter of a complaint, in whole or in part, between the parties affected does not prevent the Director from taking any of the steps in section 27 in respect of the subject matter of the complaint.

(2) A term of a settlement or resolution referred to in subsection (1) which purports to prevent or to limit the institution of proceedings by way of charge against a Bishop is of no effect.

(3) Proceedings must not be instituted or maintained in the Tribunal against a person who is no longer in Holy Orders.

Informing complainant where complaint does not proceed

29. If—

(a) following the receipt of a complaint, the Director under section 24 refrains from further investigation of the allegations contained in the complaint;

(b) the Director does not recommend mediation or conciliation in relation to the complaint; or

(c) following an investigation under this Part of the allegations contained in a complaint, the Director does not bring a charge under section 39 against the Bishop in respect of the complaint—

the Director must, without delay, provide the person who made the complaint with full and complete reasons, in writing, for that decision.

DIVISION 2 – SUSPENSION OF BISHOPS

Definition of when section 30 applies

30. This section applies if, at any time after having commenced or caused to be commenced under this or any other Canon an investigation of a complaint, the Episcopal Standards Director forms the opinion that—

(a) the complaint involves a sexual offence relating to a child by a person who is a Bishop; and

(b) the complaint is plausible.

Mandatory suspension where section 30 applies

31. (1) If section 30 applies, the Episcopal Standards Director must recommend to the senior presidential member that the person be suspended from the duties of office.

(2) Where the Director makes a recommendation under sub-section (1), the senior presidential member must suspend the person from the duties of office.

(3) A person suspended under sub-section (2) from the duties of a paid office, or a person to whom section 30 applies who voluntarily stands aside from performing the duties of office, is deemed to be on paid leave and to be absent from the State or Territory in which the duties of office would otherwise be performed.

Duration of suspension under this Canon

32. (1) A person suspended from the duties of office under this Canon remains suspended until—

(a) the Episcopal Standards Director decides to refrain from further investigation under section 24 and there are no other investigations in relation to that person to which section 30 applies;

(b) a charge is brought under Part 6 when there are no other investigations to which section 30 applies; or

Note: once a charge is brought section 61A of the Constitution applies.

(c) the person has been deposed from Holy Orders, prohibited from functioning in an order of ministry, or relinquished the exercise of some or all Holy Orders under the Constitution or a canon of the General Synod—

whichever occurs first.

Effect of suspension

33. (1) A suspension under this Canon or a voluntary standing down from office by the Bishop as a result of an investigation by the Director has effect as an absence of the Bishop from the see or from office as the case may require.

(2) During a period of suspension or voluntary standing down referred to in subsection (1), the Bishop is entitled to receive from the body normally responsible for their payment the stipend, allowances and other benefits that would otherwise have accrued.

PART 6 – THE SPECIAL TRIBUNAL PANEL

Special Tribunal panel

34. (1) For the purposes of this Canon there is a panel comprising—

(a) a senior presidential member and two other presidential members each of whom is qualified to be a lay member of the Appellate Tribunal;

(b) three Diocesan bishops; and

(c) three priests of at least seven years' standing.

(2) The members of the panel are elected by each General Synod in accordance with any Rule of General Synod for the conduct of elections.

(3) Where there are two or more candidates to become members of the panel, but regardless of the number of candidates, there must be one election for all the presidential members held at the same time and the person with the highest number of votes becomes the senior presidential member and any other person elected becomes a presidential member.

Ceasing to be a member of the Special Tribunal panel

35. (1) Subject to subsection (2), a member of the panel ceases to hold office upon:

(a) death;

(b) resignation;

(c) declaration by any competent court or tribunal that the member is incapable of managing his or her affairs;

(d) ceasing to reside permanently in Australia;

(e) conviction or finding of guilt in any court of any offence punishable by imprisonment;

(f) in the case of a Diocesan bishop, ceasing to be a Diocesan bishop or on becoming the Primate;

(g) in the case of a priest, becoming a current Bishop;

(h) subject to subsection (2), the conclusion of the second ordinary session of the General Synod following the General Synod at which they were elected; and

(i) at the commencement of the ordinary session of General Synod which must take place next after the member attains the age of 75 years.

(2) A person who has ceased or will cease to hold office under subsection (1)(h) may be re-elected, and if they are re-elected the date of their re-election becomes the date of their election for the purposes of that paragraph.

(3) A member of the panel who is

(a) the case-managing presidential member; or

(b) a member of the Tribunal—

for particular proceedings of the Tribunal must continue to hold office until the completion of those proceedings even if they cease to be a Diocesan bishop or cease to be a member of the panel by virtue of subsections (1)(h) or (i).

Current Bishops on panel to continue despite translation

36. (1) A Diocesan bishop who having accepted appointment to a different office of Diocesan bishop ceases to be a Diocesan bishop so as to take up that appointment is, upon being installed as Diocesan bishop in that different office, re-appointed to the panel or the Tribunal as the case may be.

(2) For the purposes of section 35(1)(h) the date of election of a Diocesan bishop re-appointed under subsection (1) is the date of their most recent election by the General Synod.

Vacancies on panel

37. (1) If a vacancy in the membership of the panel occurs while the General Synod is not in session and it becomes necessary or desirable for the vacancy to be filled before the next ordinary session of the General Synod, the Primate must cause the General Secretary to notify the members of the General Synod that such vacancy is to be filled.

(2) At the time when the General Secretary notifies the members of General Synod under subsection (1), the Primate must invite the members of General Synod to nominate candidates by a date not sooner than six weeks from the date of the notification.

(3) A nomination under subsection (2) must be by at least five members of General Synod.

(4) If no more names are received than the number of vacant positions to be filled, the General Secretary must declare the persons named to be elected to the panel. Otherwise, the General Secretary must conduct a postal ballot of the members of General Synod to determine the person or persons to be elected.

(5) A ballot for the purposes of subsection (4) must be conducted in accordance with the rules for the time being in force for the conduct of ballots with such modifications as are necessary, and the General Secretary must declare the person or persons who are successful in such ballot to be the person or persons elected by the General Synod to the panel.

(6) Upon the General Secretary declaring a person to be elected to the panel, the person becomes a member of the panel.

(7) For the purposes of subsection 35(1)(h), a person elected under this section is deemed to have been elected at the ordinary session General Synod next following their election.

Filling vacancies by General Synod

38. A vacancy not filled under section 37 must be filled at the next ordinary session of the General Synod.

PART 7 – BRINGING A CHARGE IN THE SPECIAL TRIBUNAL

Who may bring a charge

39. (1) Subject to this section, a charge against a Bishop in the Tribunal may be brought—

(a) by the Director with the concurrence of the ESC;

(b) by a Diocesan bishop; or

(c) in respect of—

(i) the Diocesan bishop of a diocese; or

(ii) a Bishop holding a licence in a diocese—

in accordance with the provisions of an ordinance of the synod of that diocese.

(2) If the synod of a diocese by ordinance declares that paragraph (a) of subsection (1) has no effect in respect of the Diocesan bishop of that diocese, that paragraph does not apply to a charge against that Diocesan bishop other than in relation to a charge relating to or alleging a matter listed in the Third Schedule.

(3) A declaration under subsection (2) –

(a) does not affect any proceedings in respect of a charge brought before the diocesan ordinance takes effect; and

(b) does not limit in any other respect the powers of the ESC contained in this or any other Canon in force in a diocese.

(4) Only the Director can bring a charge relating to or alleging a matter listed in the Third Schedule.

Where Diocesan bishop bringing a charge ceases to be a Diocesan bishop

40. (1) This section applies when a Diocesan bishop who is bringing a charge under section 39 is the only Diocesan bishop bringing that charge and—

(a) is suspended from the duties of office; or

(b) ceases to be a Diocesan bishop and does not become the Diocesan bishop of another diocese within the next 30 days.

(2) Subject to subsection (3), when this section applies the charge lapses.

(3) When this section applies a Diocesan bishop other than the Diocesan bishop who was bringing the charge may notify the Registrar within 14 days that they will become the Diocesan bishop bringing the charge, and that Diocesan bishop thereupon becomes the Diocesan bishop bringing the charge for the purposes of this Canon.

Cost of bringing a charge

41. (1) Where there is a Section 39(2) Exclusion in force, the General Synod is not responsible for the costs where a charge is brought under section 39(1)(c).

(2) In respect of a charge brought pursuant to –

(a) section 39(1)(b); or

(b) section 39(1)(c) where there is no declaration under section 39(2) in force in respect of that Bishop—

the Special Tribunal or the Appellate Tribunal (as the case may be) may direct the General Synod to indemnify the person or body who or which brought the charge in respect of the costs of bringing the charge, and the General Synod must indemnify that person or body accordingly.

Form of charge

42. (1) A charge against a Bishop must—

(a) be in writing;

(b) specify the alleged offence and provide particulars of the alleged offence;

(c) be signed by a member of the body or the person bringing the charge; and

(d) be lodged with the Registrar.

(2) A signed copy of the charge must be served on the Bishop personally or by leaving it at or posting it to the office of the Bishop's Registry in an envelope addressed to the Bishop and marked "**Private and Confidential**".

(3) A charge, once instituted, may be amended or withdrawn by the person or body instituting it.

(4) The amendment or withdrawal of a charge does not prevent another person or body from bringing or proceeding with a charge in terms the same as or similar to a charge before it was amended or withdrawn.

PART 8 – PROCEEDINGS BEFORE THE SPECIAL TRIBUNAL

DIVISION 1 – CASE MANAGEMENT

Appointment of case-management presidential member

43. When a charge is brought in the Tribunal the senior presidential member must appoint a presidential member to be the case-management presidential member in relation to that charge.

Duties and powers of case-management presidential member

44. (1) The case-management presidential member, to the fullest extent possible, has all the duties and powers of a judicial officer in the case management of proceedings in a superior court of an Australian State.

(2) The case-management presidential member determines the place and time of the sitting of the Tribunal in relation to the charge.

Appointment of case-management presidential member

45. The person or body bringing the charge and the Bishop must comply with the rules of the Tribunal and with any directions given by a case-management presidential member or by a member of the Tribunal at a directions hearing.

DIVISION 2 – CONFLICTS OF INTEREST

Members to disclose a conflict of interest

46. A member of the panel must without delay disclose to the senior presidential member any conflict of interest that the member has in relation to a matter before the Tribunal.

Disqualification where conflict of interest

47. Where a member of the panel—

(a) has disclosed a conflict of interest under section 46; or

(b) in the opinion of the senior presidential member has a conflict of interest in relation to a matter before the Tribunal—

that member is disqualified from participating in the matter.

DIVISION 3 – HEARING

Members of the panel for a sitting of the Tribunal

48. (1) Once a charge is lodged with the Registrar, the senior president member must as soon as possible appoint the members of the Tribunal for the purpose of hearing the charge.

(2) One member of the Tribunal must be a presidential member who becomes the President.

Requirements regarding hearing a charge

49. (1) The Tribunal must deal with any charge as expeditiously as possible.

(2) The Tribunal may, if it sees fit, proceed with the hearing of a charge even though—

(a) there may be mediation or conciliation proceedings under this canon relating to the subject matter of the charge; and

(b) there may be criminal or other proceedings being taken against the Bishop.

(3) The Tribunal may make a recommendation in relation to a person the subject of the charge who has ceased to be a current Bishop after the charge was lodged with the Registrar.

Notice of a sitting

50. (1) Subject to subsection (2), the Tribunal must give the following persons reasonable notice of the time and place of a sitting of the Tribunal:

(a) the person or body bringing the charge; and

(b) the respondent; and

(c) such other persons as the Tribunal believes have a proper interest in the matter.

(2) The Tribunal is not obliged to give notice of a sitting to a person whose whereabouts cannot, after reasonable enquiries, be ascertained.

(3) The Tribunal may conduct a hearing and make a determination in any proceedings in the absence of the respondent if satisfied that reasonable efforts were made to give that person an opportunity to appear.

Presence at a sitting

51. (1) Subject to subsection (2), a sitting of the Tribunal on a reference before the Tribunal is an open sitting.

(2) On any such sitting before the Tribunal, the Tribunal has an absolute discretion to direct that persons other than—

(a) the respondent and any person representing the respondent in the proceedings; and

(b) witnesses or persons making submissions (while giving evidence or making those submissions); and

(c) officers of the Tribunal or persons assisting the Tribunal; or

(d) the person bringing the charge or their representatives—

not be present in the room while the Tribunal is sitting.

Representation

52. At any hearing before the Tribunal or before a member of it the ESC and the Bishop may be represented by a legal practitioner or, with leave of the Tribunal, by any other person.

Board of Assessors may be used

53. At any time during the course of a hearing the Tribunal may obtain the opinion of the Board of Assessors of the Appellate Tribunal.

Conduct of the hearing and evidence

54. (1) In any proceedings of the Tribunal where the Tribunal is constituted by two or more members—

(a) any question of law or procedure will be determined by the President; and

(b) any other question will be determined by majority decision of the members, and in the case of an equality of votes the opinion of the President must prevail.

(2) The Tribunal must act with fairness and according to equity, good conscience and the substantial merits of the case without regard to technicalities or legal forms and is not bound by the rules of evidence but may inform itself on any matter in such manner as it thinks fit.

(3) Without limiting the meaning and effect of subsection (4), the Tribunal may receive evidence of a witness in the form of an affidavit, statutory declaration or a signed statement without the need for the personal attendance of the witness, and may also use electronic means such as video link or conference telephone to receive evidence and submissions, but must permit the respondent and his representative (if any) opportunity to adequately cross-examine each witness.

(4) The Tribunal may inform itself from the record of any court or tribunal and may adopt any findings, and accept as its own, the record of any court or tribunal.

Decision by majority of Tribunal

55. A decision of the Tribunal is the decision of a majority of the Tribunal.

What the Tribunal must take into account

56. In making any determination the Tribunal must take into account—

(a) the conduct of the Bishop as it finds it to have been; and

(b) in the material before the Tribunal, any other fact or circumstance relevant to the determination of the question before it.

Tribunal to give reasons

57. The Tribunal must give written reasons for any determination, other than by way of directions in the course of a proceeding, unless the determination is made by consent of the respondent.

Tribunal may make an order by consent

58. The Tribunal may make an order by consent of the parties before it.

Costs and funding

59. (1) The Tribunal has no power to award costs of any proceedings before it.

(2) A Bishop who is the subject of a charge before the Tribunal may apply to the Standing Committee for the provision of legal assistance from the time of first being notified of the investigation or charge.

(3) The Standing Committee may grant such legal assistance as may be reasonably necessary to enable the Bishop to be properly represented and may do so on the terms and subject to the conditions it determines are reasonably necessary.

Entries on the National Register

60. In a case where entry is required under the National Register Canon 2007, a recommendation of the Tribunal, or the date and particulars of the recommendation, must be entered on the National Register together with a record of any action taken consequent upon the recommendation.

DIVISION 4 - RULES, PROCEDURES AND ADMINISTRATION

Rules

61. (1) The presidential members of the panel may make rules of the Tribunal in relation to the practice and procedure of the Tribunal.

(2) Subject to this Canon and the rules, the practice and procedure of the Tribunal are as directed by the President of the Tribunal.

Tribunal constituted by a single member

62. (1) The rules may provide that, in relation to the exercise of specified functions, or in relation to matters of a specified class, the Tribunal may, at the direction of the President, be constituted by a single member sitting alone.

(2) The Tribunal constituted by a single member sitting alone cannot determine a charge or make a recommendation as to sentence.

(3) Where the Tribunal is constituted by a member sitting alone who is not the President, any question of law that arises must be referred to the President for decision and any decision made on such a reference is a decision of the Tribunal.

Concurrent sittings

63. The Tribunal, separately constituted in accordance with this Part, may sit simultaneously for the purpose of matters referred to it or for conducting separate business of the Tribunal.

Registrar

64. The Registrar of the Tribunal is the General Secretary of the General Synod.

Public statements

65. (1) The Director may release to the public such material as they may determine with respect to any complaint.

(2) At any time after the first directions hearing the Tribunal or, if so authorised by the Tribunal, the person or body bringing the charge, may make public a statement concerning the nature of the charge and the Bishop against whom the charge is brought.

(3) Upon the determination of any charge by the Tribunal and the recommendation of any sentence by the Tribunal, the Tribunal, or if so authorised by the Tribunal, the person or body bringing the charge, may make public a statement of the decision and, where appropriate, concerning the nature of the charge proved and the sentence imposed by the Tribunal, together with such reasons or a summary thereof as the Tribunal must direct or approve.

DIVISION 5 - APPEAL

Appeals

66. An appeal to the Appellate Tribunal from the Tribunal, other than in respect of a breach of faith, ritual or ceremonial, must be by leave of the Appellate Tribunal.

PART 9 – DEPOSITION FROM ORDERS

Deposition

67. (1) The deposition of a Bishop from Holy Orders by the Primate pursuant to the recommendation of the Tribunal must be effected by the execution by the Primate of an Instrument of Deposition in or to the effect of the form in the Second Schedule.

(2) The Primate must forthwith—

(a) register the Instrument in the Registry of the Primate;

(b) deliver a copy of the Instrument to the Diocesan bishop of the diocese or dioceses in which the person who is the subject of the Instrument was ordained priest and bishop;

(c) if the person was a Diocesan bishop, deliver a copy of the Instrument to the registrar of the diocese concerned; and

(d) cause relevant details to be forwarded for entry into the National Register.

PART 10 – STATUS, COMING INTO EFFECT AND TRANSITION

DIVISION 1 – AMENDMENTS TO OTHER CANONS

Amendments to the Offence Canon 1962 relating to child protection

68. In the Offences Canon 1962—

(a) following Item 4 of section 2 insert**:**

"4A. Conduct occurring at any time since the commencement of this canon that is within the meaning of "examinable conduct" as defined in, and as the words and expressions used in that definition were defined in, the Episcopal Standards (Child Protection) Canon 2017 as enacted by the 17th General Synod and amended by Canon 11, 2022.";

(b) following Item 2 of section 2A insert**:**

"2A. Conduct occurring at any time since the commencement of this canon that is within the meaning of "examinable conduct" as defined in, and as the words and expressions used in that definition were defined in, the Episcopal Standards (Child Protection) Canon 2017 as enacted by the 17th General Synod and amended by Canon 11, 2022."; and

(c) after section 5 insert:

"6. Since this canon first commenced a sexual offence relating to a child has always been disgraceful for the purposes of Item 5 in section 1 and Item 4 in section 2".

Amendments to definitions in Safe Ministry to Children Canon 2017

69. In section 3 of the Safe Ministry to Children Canon 2017—

(a) the definition of "professional standards process" is repealed; and

(b) in the definition of "professional standards role" for "professional standards process" substitute:

"a process for determining the fitness for office of clergy or lay persons under any canon of the General Synod or diocesan ordinance or a process under Chapter IX of the Constitution, where the conduct that is the subject of the process relates to child abuse".

DIVISION 2 – ADOPTION AND TRANSITION

Canon affects the discipline of the Church

70. This canon affects the discipline of the Church.

Effect of a Diocesan synod adopting this Canon

71. Subject to this Division, on the date on which a diocese adopts this Canon—

(a) the Special Tribunal Canon 2007 ceases to operate in that diocese;

(b) the Episcopal Standards Canon 2007 is excluded by that diocese if that diocese has previously adopted it; and

(c) the Episcopal Standards (Child Protection) Canon 2017 is excluded by that diocese if that diocese has previously adopted it.

Savings

72. (1) Despite this Canon being adopted by a Diocese, the Special Tribunal Canon 2007, the Episcopal Standards Canon 2007 and the Episcopal Standards (Child Protection) Canon 2017 continue to operate in that Diocese to the extent necessary to enable any allegation or complaint already made to be considered or investigated, and any charge or other proceeding heard or decided or otherwise disposed of.

(2) A protocol made under or operating for the purposes of the Special Tribunal Canon 2007 continues in effect until the Standing Committee approves a protocol under section 18 of this Canon.

(3) When this Canon is adopted in a diocese that has excluded the operation of section 47(2) of that Canon in that diocese, that exclusion operates as an exclusion under section 39(2) of this Canon.

Office holders under the Special Tribunal Canon 2017 to continue

73. (1) Subject to this section, a person who holds any office, role or position under the Special Tribunal Canon 2007 also holds the equivalent office, role or position under this Canon and in accordance with Part 6.

(2) Subsection (1) continues to have effect if the Special Tribunal Canon 2007 has ceased to operate in all Dioceses.

(3) At the time of conducting elections for presidential members of the Special Tribunal, the General Synod may elect a third presidential member for the purposes of section 34(1)(a), but a presidential member so elected does not become a member of the Special Tribunal panel established by the Special Tribunal Canon 2007.

FIRST SCHEDULE

(Section 20(2))

1 A breach of faith, ritual or ceremonial;

2 Drunkenness;

3 Wilful failure to pay just debts.

SECOND SCHEDULE

TO

I, PRIMATE/ARCHBISHOP of

by this instrument depose you from Holy Orders (particulars of which are set out below) in accordance with the recommendation of the Special Tribunal of the Anglican Church of Australia dated the day of

PARTICULARS OF HOLY ORDERS

FULL NAME AND ADDRESS			
	ORDAINING BISHOP(S)	PLACE	DATE
ORDINATION AS DEACON	…….	……..	…….
ORDINATION AS PRIEST	……..…	……..	…….
CONSECRATION AS BISHOP	……..…	……..	…….

DATED:

SEALED

THIRD SCHEDULE

(Sections 3(3), 39(2) and 39(4))

1. Child abuse

2. 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.

3. 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.

4. Failure without reasonable excuse to give effect to a recommendation given to the person under or for the purposes of section 60(1) of the Constitution.

5. Ordaining or authorising to function a member of the clergy or permitting to function a church worker contrary to, or in the absence of, a recommendation of a screening authority, or with actual knowledge or reasonable grounds for suspecting that the screening authority may not have properly discharged its statutory functions in making its relevant recommendation.

6. Ordaining or authorising to function a member of the clergy, or permitting to function a church worker, who poses a serious risk to the safety of children with actual knowledge or reasonable grounds for suspecting that the person poses that risk.

7. Conduct occurring at any time since the commencement of this canon that is within the meaning of "examinable conduct" as defined in, and as the words and expressions used in that definition were defined in, the Episcopal Standards (Child Protection) Canon 2017 as enacted by the 17th General Synod and amended by Canon 11, 2022.

STRATEGIC ISSUES, COMMISSIONS, TASK FORCES AND NETWORKS CANON 1998

Canon 19, 1998 as amended by
Canon 12, 2001
Canon 4, 2004
Canon 6, 2004
Canon 3, 2007
Canon 21, 2017
Canon 6, 2022
Canon 11, 2026

A canon to enable the consideration of strategic issues and for the appointment of Task Forces, expert Reference Commissions and General Synod Networks.[1]

The General Synod prescribes as follows:

Part I - Preliminary

1. The Canon is divided into the following parts as follows:

Part I	Preliminary
Part II	Strategic Issues[2]
Part III	Task Forces
Part IV	Reference Commissions
Part V	General Synod Networks
Part VI	General
Part VII	Repeal and Transitional
Part VIII	Title

Part II - Strategic Issues[3]

2.[4] The Standing Committee and all the Commissions and Task Forces created under this Canon, in undertaking their functions, will focus their efforts primarily on outreach, the promotion of the Gospel and ensuring the engagement of the Anglican Church with the culture in which we live.

3.[5] The Standing Committee shall consider issues of strategic importance to this Church and shall, at the first meeting of Standing Committee following each session of General Synod, ensure that steps are taken to identify the specific strategic issues to be addressed in the period prior to the next session.

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1 Title amended by Canon 12, 2001.
2 Amended by Canon 12, 2001.
3 Amended by Canon 12, 2001.
4 Amended by Canon 12, 2001.
5 Replaced by Canon 12, 2001.

4.[6] The General Secretary, the Primate, a member of the Standing Committee, the Bishops' Conference, a Diocese, an organisation determined by the Standing Committee to be a national Anglican organisation and a General Synod Network may at any time propose to the Standing Committee strategic issues for consideration.

5.[7] The Standing Committee may seek voluntary or remunerated expert advice on strategic issues.

Part III - Task Forces

6. The Standing Committee may establish a Task Force to deal with any issue, project or task or to achieve a specific purpose in any area of the mission of this church to be determined by the Standing Committee with such terms of reference and within such time as the Standing Committee determines.

7. The chairperson and other members of each Task Force will be appointed by the Primate on the advice of the Standing Committee for such period and on such basis as the Standing Committee shall determine.

Part IV - Reference Commissions

8.[8] [9] The following expert Reference Commissions are established:

(a) The Doctrine Commission;

(b) The Mission and Ministry Commission;

(c) The Liturgy Commission;

(d) The Church Law Commission;

(e) The Safe Ministry Commission;

(f) The Public Affairs Commission;

(g) The Ecumenical Relations Commission;

(h)[10] The Families and Culture Commission.

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6 Replaced by Canon 12, 2001.
7 Replaced by Canon 12, 2001.
8 S. 8(e) added by Canon 6, 2004.
9 S. 8(e) amended by and S. 8(f) and (g) added by Canon 21, 2017.
10 Added by Canon 6, 2022.

Additional Commissions

8A.[11] The Standing Committee of General Synod may establish additional expert Reference Commissions and define the functions and term of such Commissions provided that the continuation of any such Commission be ratified by the next meeting of General Synod.

9. The functions of the Doctrine Commission are:

(a) to examine questions of doctrine, referred to it by the Primate, the Standing Committee or the General Synod, and to report thereon to the referring party and the Standing Committee, and

(b) to make recommendations to the Standing Committee on matters of doctrine which are of importance to this church.

10.[12] The functions of the Mission and Ministry Commission are:

(a) to examine questions of mission in this church on all matters dealing with the competency of ordained and authorised lay ministry, referred to it by the Primate, the Standing Committee or the General Synod, and to report thereon to the referring party and to the Standing Committee, and

(b) to make recommendations to the Standing Committee on matters of mission and ministry which are of importance to this church.

11. The functions of the Liturgy Commission are:

(a) To examine questions of liturgy referred to it by the Primate, the Standing Committee or the General Synod, and to report thereon to the referring party and the Standing Committee.

(b) To advise the Primate, the Standing Committee or the General Synod, on matters relating to the creative nurture and renewal of the liturgical life of this church.

12. The functions of the Church Law Commission are:

(a) to examine questions of Church law referred to it by the Primate, the Standing Committee or the General Synod, and to report thereon to the referring party and the Standing Committee.

(b) to make recommendations to the Standing Committee on matters of church law which are of importance to this church.

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11 Subsection 8A added by Canon 12, 2001.

12 Replaced by Canon 12, 2001; amended by Canon 21, 2017.

12A.[13] The functions of the Safe Ministry Commission are:

(a) to examine questions of professional standards, safe ministry practices and training, the protection of children and adults from abuse, and care and support for ordained and authorised lay ministry, referred to it by the Primate, the Standing Committee or the General Synod, and to report thereon to the referring party and the Standing Committee;

(b) to make recommendations to the Standing Committee on matters relating to professional standards, safe ministry practices and training, the protection of children and adults from abuse, and care and support for ordained and authorised lay ministry.

12B.[14]The functions of the Public Affairs Commission are:

(a) to develop a process to assist people engage with public affairs;

(b) to respond within its capacity to aspects of public affairs referred by the Primate, the Standing Committee or the General Synod or initiated by the Commission;

(c) to work collaboratively with any diocesan body engaged in public affairs or any network of diocesan bodies engaged in public affairs.

12C.[15] The functions of the Ecumenical Relations Commission are:

(a) to advise the Standing Committee on-

(i) contact between ecumenical organisations and the Anglican Communion Office in regard to ecumenical matters;

(ii) the nurturing of people interested in and with knowledge about ecumenical matters within the life of the Church;

(iii) liaison between the representatives of the Church engaged in bilateral dialogue with other groups;

(iv) responding to requests from other Churches or ecumenical bodies; and

(v) the appointment of representatives of this Church to ecumenical bodies;

(b) to advise the Primate, the Standing Committee or the General Synod on other ecumenical matters specifically referred to the Commission.

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13 Added by Canon 6, 2004 and Amended by Canon 21, 2017.
14 Added by Canon 21, 2017.
15 Added by Canon 21, 2017.

12D[16] The functions of the Families and Culture Commission are:

(a) to examine questions that relate to family violence affecting members of the Church, the drivers of violence and the well-being of families and women referred to it by the Primate, the Standing Committee or the General Synod, and to report thereon to the referring party and to the Standing Committee, and

(b) to make recommendations to the Standing Committee on matters relating to family violence affecting members of the Church, violence prevention and the well-being of families and women.

13. An expert Reference Commission may, with the leave of the Standing Committee pursue terms of reference arising from that Commission's own deliberations.

14.[17] The Chairperson and other members of each Reference Commission will be appointed by the Primate on the advice of the Standing Committee. A member of a Reference Commission need not be a member of General Synod and save in the case of a Commission established under section 8A, shall serve for a term of up to 5 years and may be reappointed. The Standing Committee shall determine the number of members of an expert Reference Commission.

15. An expert Reference Commission may co-opt additional members according to conditions laid down by the Standing Committee.

Part V - General Synod Networks

16. The Standing Committee may facilitate the formation or recognition of a Network of people engaged in a discrete area of ministry.

17. The functions of a General Synod Network are:

(a) To share information and ideas among those with common concerns;

(b) To facilitate joint action by the members of the Network from within their own shared resources;

(c) To communicate with Standing Committee on issues of significance.

16 Added by Canon 6, 2022.
17 Amended by Canon 12, 2001; amended by Canon 21, 2017.

Part VI - General

18.[18]

18A.[19](1) A person who is a member of staff of the General Synod Office is ineligible to become or remain a member of a Task Force, General Synod Network or Reference Commission.

(2) In this section, ***member of staff of the General Synod Office*** means a person with a contract of employment working in the General Synod Office and paid directly or indirectly from General Synod funds.

19. A member of a Reference Commission may resign his or her office in writing signed by him or her and delivered to the General Secretary.

20. A Task Force or Reference Commission may meet at such times and places as it determines, or in the absence of such a determination as the Chairperson determines.

21. Subject to this Canon a Task Force or expert Reference Commission may regulate the manner of its exercising its powers and performing its functions as it thinks fit.

22.[20] Each Task Force, General Synod Network and expert Reference Commission will report to the Standing Committee at such times and on such basis as the Standing Committee may from time to time require.

23.[21] The Standing Committee shall determine the budget for each Task Force, General Synod Network and Reference Commission.

24. (1) The Standing Committee may appoint not more than three alternate members of a Reference Commission.

(2) Where the chairperson of a Reference Commission is aware that a substantive member of the Reference Commission will be unable to attend a meeting of the Reference Commission, the chairperson may invite one of the alternate members to attend the meeting in the place of that member.

(3) The chairperson of an expert Reference Commission may invite all or any of the alternate members to attend a meeting of the Reference Commission otherwise than in place of a member who will be absent if, but only if, the attendance of the member or members will not involve the Commission's expenditure in the year in which the meeting is held exceeding the budgeted estimate for the year.

(4) An alternate member who attends a meeting of an expert Reference Commission as provided in sub-section (3) is not entitled to vote at the meeting.

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18 Repealed by Canon 12, 2001.
19 Added by Canon 11, 2026.
20 Amended by Canon 12, 2001.
21 Amended by Canon 12, 2001.

25. At the request of the chairperson of a Reference Commission the Primate may approve the calling of a consultant to attend a meeting of that Commission and the payment of the fare of the consultant for travel within Australia.

26.[22] A Task Force or expert Reference Commission established by or pursuant to the provisions of this canon is a Commission within the meaning of Section 35 of the Constitution of this Church.

23***

Part VIII - Title

28.[24] This Canon may be cited as the "Strategic Issues, Commissions, Task Forces and Networks Canon 1998."

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22 Amended by Canon 12, 2001.
23 Part VII repealed by Canon 11, 2026.
24 Amended by Canon 12, 2001.

THE ANGLICAN CHURCH OF AUSTRALIA CANON OF 1966

Canon 16, 1966

A canon to provide for the alteration of the name of the Church to the Anglican Church of Australia.

Whereas the Constitution of the Church of England in Australia by sections 66 and 67 provides that the name of this Church may be altered.

Now the General Synod prescribes as follows:

1. The Constitution is amended by deleting therefrom in sections 1, 64 and 74 the words "**The Church of England in Australia**" and inserting in lieu thereof the words "**The Anglican Church of Australia**".

2. Standing Committee of this Synod is hereby authorised and directed after this canon shall have been assented to as prescribed by section 67 of the said Constitution to take such steps as may be necessary to obtain amendments to the several relevant acts of Parliament and to the ordinances made or to be made with respect to territories under the control of the Commonwealth of Australia.

3. This canon shall come into effect on a date to be declared by the Primate on the advice of the Standing Committee after the said amendments to the several Acts and Ordinances have been made and such date shall be notified in the Commonwealth and State Gazettes and by such other means as the Primate may be advised by the Standing Committee.

4. On and after the date when the canon shall come into effect wherever in any Canon Rule or Resolution of General Synod the words "**Church of England in Australia**" have been used they shall be deemed to be a reference to "**The Anglican Church of Australia**".

5. This canon may be cited as "The Anglican Church of Australia Canon of 1966".

TRUST CORPORATION CANON 2010

Canon No 6, 2010 as amended by Canon 13, 2026

Preamble[1]

A. General Synod is an unincorporated association, and has no legal capacity to hold property, enter into contracts or undertake other legal or financial transactions in its own name.

B. All property held, and all transactions entered into, for the purposes of General Synod must be held or entered into by a body corporate for and on behalf of the General Synod and in accordance with the rules and determinations of General Synod or the Standing Committee.

C. In the exercise of its powers under section 64 of the Constitution the General Synod has established the Corporation.

D. The Corporation is registered with the Australian Taxation Office for Goods and Services Tax purposes and has a registrable Australian body number and has been registered as a charity.

E. The Corporation is registered as trustee of the Trust with the Australian Securities and Investments Commission and holds ABN 52 151 746 565 on behalf of the Trust, in the name "the trustee for Anglican Church of Australia General Synod".

F. Trustees have been appointed in accordance with the Constitution to manage the Trust.

G. It is desirable to clarify the nature of the relationship between the General Synod, the Standing Committee, the Corporation and the Trust.

The General Synod therefore now prescribes as follows:

PART 1 - PRELIMINARY

Title

1. This Canon may be cited as the "Trust Corporation Canon 2010".

[1] Preamble added by Canon 13, 2026.

Definitions

2. In this Canon, unless the context otherwise requires –

"**the Corporation**" means The Anglican Church of Australia Trust Corporation constituted under section 64 of the Constitution;

"**document**" includes any contract, authority, bill of exchange and transfer of funds by whatever means;

"**General Synod property**" means any real or personal property or any estate or interest therein under the control of or held for the purposes of the General Synod or any unincorporated body constituted by or under any Canon or Rule.

"**Standing Committee**"[2] means the standing committee constituted under section 34 of the Constitution.

"**Trust**"[3] means the discretionary investment trust bearing ABN 52 151 746 565.

"**Trustees**" means the persons constituting the Corporation referred to in section 64 of the Constitution.

Repeal of Corporate Trustees Canon

3. (1) The Corporate Trustees Canon 1962 is repealed.

(2) Notwithstanding the repeal effected by subsection (1), the Trustees holding office under the repealed Canon shall continue in office under and subject to the provisions of this Canon.

PART 2 – APPOINTMENT AND TENURE OF OFFICE OF TRUSTEES

Number of Trustees

4. The number of Trustees shall be five, of whom three shall form a quorum.

Appointment

5. The Trustees shall be appointed by the Standing Committee and, subject to Section 6, shall hold office for such period and on such terms as the Standing Committee shall determine.

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2 Definition added by Canon 13, 2026.
3 Definition added by Canon 13, 2026.

Tenure of Office

6. A Trustee shall hold office until he or she –

(a) resigns, or

(b) dies, or

(c) is declared by any competent court incapable of managing his or her affairs, or

(d) ceases to reside permanently in Australia, or

(e) is retired by a resolution of General Synod or of the Standing Committee.

Vacancies

7. (1) A vacancy in the office of Trustee shall be filled by the Standing Committee.

(2) The Trustees may act notwithstanding any vacancy in the office of Trustee.

PART 3 – REGULATION OF AFFAIRS

Chair

8. The Chair of the Trustees shall be appointed by the Standing Committee for such period as the Standing Committee shall determine.

Meetings

9. (1) The Trustees may hold meetings as they see fit and may make rules for the conduct of their meetings.

(2) The Chair shall have a deliberative but not a casting vote.

(3) A telephone or video conference between the Trustees shall be taken to be a meeting of the Trustees at which the participating Trustees are present.

Resolutions

10. (1) A resolution signed by all Trustees shall be as valid and effective as a resolution made at a meeting of the Trustees.

(2) A proposed resolution of the Trustees becomes a valid decision of the Trustees despite the fact that it is not voted on at a meeting of the Trustees if:

(a) Notice of the proposed resolution is given to all members in accordance with procedures determined by the Trustees; and

(b) At least three quarters of the Trustees in office express their concurrence in the proposed resolution by letter, email, facsimile transmission or other written communication setting out the terms of the resolution.

Execution of Documents

11. (1) The seal of the Corporation may be attached to any document pursuant to a resolution by the Trustees and countersigned by two Trustees.

(2) Subject to the provisions of this Canon, a document not required to be under seal may be executed by the Corporation by two Trustees in accordance with a resolution of the Trustees.

PART 4 – PROPERTY AND AFFAIRS OF THE GENERAL SYNOD

General Synod Property and Financial Reporting[4]

12. Subject to any particular trusts affecting General Synod property, the Corporation shall hold and administer all General Synod property in accordance with and subject to the provisions of any Rule of the General Synod.

General Synod Contracts

13. Any contract entered into by the Corporation on behalf of the General Synod shall be administered in accordance with the provisions of any Rule of the General Synod.

Authority of Standing Committee

14. (1)[5] Unless it has good and substantial reasons for refusing to do so the Corporation must act in accordance with any policy of or direction by the Standing Committee made or given from time to time and give effect to all determinations of the Standing Committee or its delegate.

(2) If the Corporation refuses to act in accordance with such policy or to carry out a determination of the Standing Committee or its delegate it must forthwith notify in writing its refusal and its reasons for refusal to the Standing Committee.

Delegation

15. (1)[6] Subject to this section, any person, persons or body authorised by the General Synod or the Standing Committee to enter into a contract on behalf of the General Synod or Standing Committee or otherwise authorised to act on behalf of the General Synod or the Standing Committee in respect of its property or affairs is authorised to enter into such contract and to act on behalf of the Corporation in respect of such matter and to execute any documents on behalf of the Corporation to give effect to the authority given by the General Synod or the Standing Committee as the case may be.

(2) The person or persons authorised to sign any bill of exchange or to effect the transfer of funds of the Corporation shall be determined from time to time by the Standing Committee subject to the approval of the trustees, which approval shall not be unreasonably withheld.

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4 Heading amended by Canon 13, 2026.
5 Amended by Canon 13, 2026.
6 Amended by Canon 13, 2026.

(3)[7] The Standing Committee may from time to time adopt a financial delegation policy.

(4) A financial delegation policy adopted under subsection (3) must—

(a) stipulate who may authorise legal and financial transactions up to specified spending limits and the type of authorisation required for each such transaction;

(b) provide a clear framework for accountability, oversight and control; and

(c) promote efficiency and certainty to General Synod and the Corporation in relation to the management of property and transactions on behalf of the General Synod.

Management

16.[8] Subject to any trusts affecting General Synod property—

(a) General Synod property is held; and

(b) any contract or other legal or financial dealing entered into by the Corporation on behalf of the General Synod or Standing Committee is to be administered—

subject to the direction of the General Synod or the Standing Committee.

Indemnity

17. The Corporation and the Trustees, acting honestly and reasonably pursuant to this Part, are indemnified out of the General Synod property in respect of any liability arising out of or in the course of the non-exercise, the exercise or purported exercise of any power or authority under this Part.

PART 5 – OTHER TRUST PROPERTY

Consent under section 64(4) of the Constitution

18. (1) The consent of the synod of a diocese or the consent of a society, council, board, agency or authority required under subsection (4) of section 64 of the Constitution shall be given by ordinance or resolution of such synod, council, or board or by the committee of management of such society, agency or authority.

(2) A copy of such ordinance or resolution shall be lodged with the Corporation certified under the hand of the President of such synod or Chairman of the meeting of the council, board or committee as the case may be.

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7 Sub sections (3) and (4) added by Canon 13, 2026.

8 Amended by Canon 13, 2026.

Holding of Property

19. Where the Corporation holds property in respect of which such consent has been given it shall be held subject to the written direction of such synod, society, council, board, agency or authority given pursuant to its constitution and subject to any trust affecting such property.

Indemnity

20. The Corporation and the Trustees, acting honestly and reasonably, are indemnified out of the funds held by them on trust under this Part in respect of any liability arising out of or in the course of the non-exercise, the exercise or purported exercise of their duties and activities under this Part.

PART 6 – GENERAL

Report

21. The Trustees shall present a report of their administration to the Standing Committee at such intervals as the Standing Committee shall from time to time determine.

USE OF CHURCH NAMES CANON 1989

Canon 10, 1989 as amended by Canon 6, 2014

A canon to regulate the use of names and descriptions relating to the Anglican Church of Australia.

Whereas provision is made by section 6 of the Anglican Church of Australia Act 1976 of the State of New South Wales that a person shall not, for the purposes of, or in connection with, any business, trade or profession use, or cause or permit to be used, names and descriptions relating to the Anglican Church of Australia unless the person is authorised to do so pursuant to a canon of the General Synod.

And whereas this Church has, under the laws of the States and Territories of Australia, the right to restrain the passing off by a person of his or her activities as activities of this Church.

Now the General Synod prescribes as follows:

Citation

1. This canon may be cited as the "Use of Church Names Canon 1989".

Meaning of "Church name"

2.[1] In this canon –

"**Church name**" means –

(a) each of the names or descriptions "Church of England", "Church of England in Australia", "Anglican Church of Australia" or "Anglican"; and

(b) any name, initials, word, title, addition, symbol or description which, either alone or in conjunction with other matter -

(i) refers to this Church or an instrumentality of this Church; or

(ii) implies, or tends to the belief, or indicates, or is capable of being understood to indicate, or is calculated to lead persons to infer, that it is a reference to this Church or an instrumentality of this Church.

"**Use of Church Names Register**" means the register maintained and published by the General Secretary under section 9A.

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1 Amended by Canon 6, 2014.

Authorised persons and bodies

3.[2] (1) A body named or referred to in the Schedule is authorised by this canon to use the Church name throughout Australia.

(2) A person or body to which a certificate has been issued under this canon (and which has not been withdrawn) is authorised to use, throughout Australia, such form of the Church name as is specified in the certificate.

Applications for authorization

4. A person or body may apply to the Bishop-in-Council of the diocese in which the person or body has its principal place of business for a certificate authorising the use of a form of the Church name by the person or body.

Determination of applications

5.[3] (1) Subject to sections 5A, 6 and 7, the relevant Bishop-in-Council may

(a) grant an application for the issue of a certificate under this canon and issue the certificate or issue the certificate subject to such condition or conditions as the Bishop-in-Council prescribes; or

(b) refuse the application.

(2) The synod of a diocese may, for the purpose of this clause, prescribe -

(a) the manner in which an application for a certificate authorising the use of a form of the Church name may be made and determined;

(b) the circumstances in which the Bishop-in-Council of the diocese may issue a certificate;

(c) any conditions subject to which a certificate may be issued; and

(d) fees and charges to be made in relation to the issue of a certificate.

(3) Upon the Bishop-in-Council of the diocese granting an application for the issue of a certificate under this canon and issuing the certificate (with or without conditions), the Bishop-in-Council shall forthwith send a copy of the certificate to the General Secretary.

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2 Amended by Canon 6, 2014.
3 Amended by Canon 6, 2014.

Commencement of authority conferred by certificate[4]

5A. The authority conferred by a certificate of the Bishop-in-Council of the diocese commences –

(a) on the commencement of any period for which the certificate is expressed to be in force, or

(b) when the certificate is issued under section 5(1),

whichever last occurs.

Authorisation of bodies (other than schools)

6. Except to the extent to which a synod of a diocese, by ordinance, otherwise determines, a certificate under this canon authorising the use of a form of the Church name shall issue, in the case of a body (whether incorporated or not, but not being the governing body of a school) only to a body -

(a) the aims and objects of which are compatible with the aims, objects or welfare of this Church;

(b) the means of carrying out the aims and objects of which are compatible with the aims, objects or welfare of this Church;

(c) which has on its controlling body one or more persons elected or appointed by the synod or bishop of the diocese;

(d) which permits such a person, despite the person's fiduciary duty of confidentiality to the body, to report to the synod of the diocese any matter of which, in the person's view, the synod should be informed;

(e) which submits its accounts for audit or scrutiny by officials of the diocese at least once in each year; and

(f) which undertakes to change its name to a name not including the Church name on or before the expiration of 60 days after the date on which the authority conferred by the certificate ceases.

Authorisation of schools

7. Except to the extent to which a synod of a diocese, by ordinance, otherwise determines, a certificate under this canon authorising the use of a form of the Church name shall issue, in the case of the governing body of a school, only to a school that complies with any diocesan requirements for the conduct, control and curriculum of an Anglican school in the diocese concerned.

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4 Heading and section 5A added by Canon 6, 2014.

Withdrawal of authorisations

8.[5] (1) The authority conferred by a certificate of the Bishop-in-Council of a diocese may be withdrawn at any time by notice in writing given to the person or body by the bishop of the diocese.

(2) Upon the bishop of the diocese issuing a notice withdrawing an authority conferred by certificate under section 8(1), the bishop shall forthwith send a copy of the notice to the General Secretary.

Cessation of authority conferred by certificate

9. The authority conferred by a certificate of the Bishop-in-Council of a diocese ceases -

(a) on the expiration of any period for which the certificate is expressed to be in force; or

(b) when notice of withdrawal of the certificate is given under section 8 (1),

whichever first occurs.

Use of Church Names Register[6]

9A. (1) The General Secretary shall maintain and publish a register of each Person or body to which a certificate has been issued under this canon (and which has not been withdrawn) together with –

(a) the form of the Church name specified in the certificate which is authorised to be used,

(b) any period for which the certificate is expressed to be in force, and

(c) any condition or conditions subject to which the certificate has been issued.

(2) Upon the General Secretary receiving a copy of a certificate under section 5(3) or a copy of a notice of withdrawal of authorisation under section 8(2), the General Secretary shall forthwith add or remove the name or reference to the person or body from the Use of Church Names Register as the case may be.

(3) The General Secretary is authorised –

(a) to remove from the Use of Church Names Register the name of or reference to any person or body on the expiry of any period to which the certificate for that person or body is expressed to be in force, and

5 Amended by Canon 6, 2014.

6 Heading and section 9A added by Canon 6, 2014.

(b) if reasonably satisfied that the name of a person or body on the Use of Church Names Register has changed, to update the Use of Church Names Register to reflect the change,

subject to notice of such removal or update being given to both the Bishop-in-Council and the person or body concerned.

Application

10. This canon shall only apply to a diocese which in whole or in part is subject to the Anglican Church of Australia Act, 1976 of the State of New South Wales.

SCHEDULE[7]

All parishes and other parochial units of the Church.

All bodies constituted or controlled by an Act or Ordinance of a State or Territory of Australia, being an Act or Ordinance in which a form of the Church name appears in the citation.

All bodies constituted or controlled by a canon of the General Synod or an Ordinance or Act of a provincial synod or a synod of a diocese.

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7 Amended by Canon 6, 2014.

BILLS AND CANONS

NOT YET IN EFFECT

NATIONAL ABORIGINAL AND TORRES STRAIT ISLANDER ANGLICAN COUNCIL (AMENDMENT) CANON 2026

Canon 6, 2026

The General Synod prescribes as follows:

Title

1. This Canon is the "National Aboriginal and Torres Strait Islander Anglican Council (Amendment) Canon 2026".

Commencement

2. This Canon comes into effect on the day on which the First Nations Bishops (Constitutional Amendment) Canon 2026 comes into effect.

Interpretation

3. In this Canon "**the principal Canon**" means the National Aboriginal and Torres Strait Islander Anglican Council Canon 2014.

Amendment to section 3 of the principal Canon

4. In the principal Canon—

(a) insert "**First Nations Bishop"** means a person who is the First Nations (Aboriginal) Bishop or the Torres Strait Islander Bishop;

(b) for the definition of "National Aboriginal Bishop" substitute "**First Nations (Aboriginal) Bishop**" means the Bishop appointed under section 4A; and

(c) for the definition of "National Torres Strait Islander Bishop" substitute "**Torres Strait Islander Bishop**" means the Torres Strait Islander Bishop appointed under section 4A.

New Part 1A – First Nations Bishops

5. Following Part 1 insert:

"Part 1A – First Nations Bishops

"Appointing First Nations Bishops

"4A. (1) The Primate may with the assent of the Council—

(a) appoint a person in Holy Orders to the office of First Nations (Aboriginal) Bishop; and

(b) appoint a person in Holy Orders to the office of Torres Strait Islander Bishop.

(2) A person appointed under this section must be a First Nations person of Australia.

(3) A person appointed to an office under this section must be a bishop before entering upon that office.

(4) A person appointed under this section who is not already a bishop must not be consecrated as bishop unless their canonical fitness has been certified in writing by the Primate and the Metropolitans.

"Stipend and allowances of First Nations Bishops

"4B. The stipend and allowances of each First Nations Bishop are to be met by the General Synod.

"First Nations Bishops to be assistant to the Primate

"4C. A First Nations Bishop is a bishop assistant to the Primate and is responsible to the Primate for episcopal oversight of First Nations people in the Anglican Church of Australia. This Canon provides the basis on which each First Nations Bishop will exercise shared episcopal oversight of First Nations people in a diocese with the goodwill of the relevant Diocesan Bishop.

"Term of office

"4D. (1) A First Nations Bishop continues in office notwithstanding any vacancy in the office of Primate.

(2) The term of office of a First Nations Bishop expires–

(a) five years after the commencement of their term in office, or at the expiration of any subsequent fixed term;

(b) when they resign; or

(c) if they cease to be a bishop—

whichever occurs first.

"Extension of term of office

"4E. The appointment of a First Nations Bishop may be extended by the Primate for further terms of up to five years if, following consultation with the NATSIAC Executive, the Primate has reviewed the position of that bishop no sooner than 12 months, and no later than 8 months, before the end of their current term.

"Permitting or authorising to function

"4F. (1) A First Nations Bishop does not have the power to ordain a person, to permit a person to function or to authorise a person to function other than in accordance with the agreement of the Diocesan bishop of the diocese in which the person is to function.

(2) The agreement of the Diocesan bishop under subsection (1) must not be unreasonably withheld."

NATSIAC members not representing Dioceses

6. In paragraphs (d), (d1), (e), (f) and (g) of section 10(1) of the principal Canon whenever occurring, for "to represent" substitute "as coming from".

Choice of NATSIAC members by Diocesan bishops

7. After section 10(1) of the principal Canon insert:

"(1A) Before appointing a person under paragraphs (d), (d1), (e), (f) and (g) of subsection (1) a Diocesan bishop must consult First Nations members of this Church in their Diocese about who should be appointed."

Financial matters

8. (1) For section 9(b) of the principal Canon, substitute "determine the priority order for the application of funds available for the purposes of NATSIAC".

(2) In the principal Canon—

(a) in section 22, the phrase "its finances and" is repealed;

(b) for section 23 substitute,

"The Council must comply with all the relevant canons and rules of the General Synod."; and

(c) in section 24(1) omit ", including a report on its financial affairs".

Nomination of non-diocesan representatives

9. After section 9 of the principal Canon insert:

"**Nomination of First Nations non-diocesan representatives**

"9A. The Council is appointed to recommend the non-diocesan representatives referred to in section 17(8)(a)(ii) of the Constitution.".

NATSIAC Chair

10. After section 14 of the principal Canon, insert:

"**Chair of NATSIAC**

14A. (1) The NATSIAC Executive must each year appoint a member of NATSIAC as the chair of NATSIAC.

(2) A person who has been the chair of NATSIAC is eligible for reappointment.

(3) The NATSIAC or the NATSIAC Executive may remove the chair of NATSIAC and may fill a vacancy in the office of chair of NATSIAC.

(4) A chair of NATSIAC holds office until—

(a) the next annual appointment of a chair;

(b) they are removed as the chair; or

(c) they cease to be a member of NATSIAC—

whichever occurs first."

Consequential amendments

11. The Schedule applies.

Transitional

12. A bishop who is—

(a) the National Aboriginal Bishop at the time this Canon comes into operation; or

(b) the National Torres Strait Islander Bishop at the time this Canon comes into operation—

becomes a First Nations Bishop under the National Aboriginal and Torres Strait Islander Anglican Council Canon 2014 and continues to be a First Nations Bishop under that Canon for a period of one year.

SCHEDULE

Consequential amendments

A provision in the principal Canon referred to in column 1 is amended as described in column 2

Provision	Amendment
s 10(1)(a)	For "National Aboriginal Bishop" substitute "First Nations (Aboriginal) Bishop"
s 10(1)(b)	For "National Torres Strait Islander Bishop" substitute "Torres Strait Islander Bishop"
s 10(2)(d)	For "Aboriginal Bishop" substitute "First Nations (Aboriginal) Bishop"
s 17(a)	For "National Aboriginal Bishop" substitute "First Nations (Aboriginal) Bishop"
s 17(b)	For "National Torres Strait Islander Bishop" substitute "Torres Strait Islander Bishop"
s 17(d)	For "National Aboriginal Bishop" (where twice appearing) substitute "First Nations (Aboriginal) Bishop"
s 17(f)	For "National Torres Strait Islander Bishop" (where twice appearing) substitute "Torres Strait Islander Bishop"

PART 3

RULES

NOTE:

Rules VII, X, XI and XIV have been repealed

I. RULES FOR THE CONDUCT OF ALL BUSINESS COMING BEFORE THE GENERAL SYNOD OF THE ANGLICAN CHURCH OF AUSTRALIA TO BE KNOWN AS STANDING ORDERS

Meeting of Synod

1. The hour of meeting shall be 10.00 a.m. unless otherwise ordered.

Adjournment - if no Quorum

2. If at the expiration of half an hour from the time fixed for meeting there be not a quorum as prescribed by section 21 of the Constitution, the President shall adjourn the Synod to the next day of sitting; and if, at the expiration of half an hour from the time fixed for meeting upon that day, there be not a quorum, the President may either adjourn the Synod to the next day of sitting, or may in his discretion adjourn it sine die.

Prayers

3. The Synod shall be opened each day with prayers by the President.

Secretaries

4. There shall be one Clerical and one Lay Secretary for the Synod, who shall be elected immediately after the Address of the President shall have been delivered, on motion without notice, on the first day of each session of the Synod, and shall hold office until the election of their successors.[1]

Duties of Secretaries

5. The secretaries shall prepare the business paper for each day of the session of the Synod, take minutes of the proceedings, and prepare and publish the report thereof. They shall also have charge of the record of all rules and regulations and canons passed by the Synod, and of all other documents appertaining to the business of the Synod, which shall be deposited for safe custody in the Registry of the Primate.

Representatives elected for two or more seats

6. Whenever any person has been elected as a representative for two or more dioceses, and has not previously made his choice, he shall, on taking his seat, and before taking part in any of the proceedings of the Synod, choose for which of such dioceses he will retain his seat, and the President shall declare the other seat or seats to be vacant.

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1 Amended by Rule XXIII (Rule 2, 1973).

Order of business for the first day of each session of the Synod

7. (a) After prayers, and before proceeding to the business of the day, (1) the roll of bishops, (2) the roll of clerical representatives summoned to the Synod, and (3) the roll of lay representatives summoned to the Synod shall be called.

(b) The President shall deliver his address.

(c) Motions for the election of:

(1) A Clerical and Lay Secretary.

(2)[2] A Chair and one or more Deputy Chairs of Committees.

(3) A Committee of Elections and Qualifications.

(4) A Committee to arrange the Order of Business.

(d) The President shall lay upon the table:

(1) A list of special bills which he has declared to be canons under Sec. 28(3)(iii) of the Constitution since the last session of Synod and the dates on which they respectively came into force.

(2) A list of special bills which have not been assented to by every diocesan synod together with the reports and recommendations received from such synods.

(2A)[3] A list of bills which have come into force under Section 28A of the Constitution since the last Session of Synod.

(3) A list of canons which he has declared to be in force following upon a reference of any question to the Appellate Tribunal under Sec. 29 of the Constitution and the dates on which they respectively came into force.

(4) A list of canons in respect of which the Appellate Tribunal has found inconsistency or breach of Sec. 28(1) after reference thereto under Sec. 29 of the Constitution together with the relevant reports of the Appellate Tribunal thereon.

(5) A list of canons duly passed by Synod together with the date appointed by him upon which the said canons came into force under Sec. 30 of the Constitution.

(6) Notifications and advices from dioceses under Sec. 30(c) of the Constitution.

(7)[4] A report prepared by the Secretaries of Synod of all proposals received from members under Standing Order 42A (a). This report as amended during the course of Synod is called the "**amendment sheet**".

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2 Amended by Rule 1, 2007.
3 Inserted by Rule 8, 2010 which came into effect on 1 July 2014, when Canon 12, 2010 came into effect.
4 Added by Rule 1, 2004.

(dd)[5] Consideration of any report of the provisional Committee pursuant to Standing Order 11A(1)(b).

(e) Petitions.

(f) Notices of Questions.

(g) Notices of Motions.

(h) Election of a Chairman and other officers of (i) the House of Clergy and (ii) the House of Laity.

(i) Reports, accounts, and motions connected therewith.

(j) Motions by request of (i) the Standing Committee; (ii) the House of Bishops; (iii)[6] a diocesan synod or diocesan council.

(k) Notices of motion for the recommittal of provisional canons under sec. 28(3)(iii) of the Constitution.

(l) Motions which shall have been received by the Standing Committee from members of the Synod at least one month before the session of Synod.

Notices before 7 p.m.

8. Notices of questions and of motions given by any member in writing before 7 p.m. on the first day of each session shall, after that hour, be deemed sufficient within the meaning of the 37th Standing Order in lieu of notice given on a previous day.

Order of business for the second and succeeding days of each session of the Synod

9. (a) After prayers, the minutes of the previous meeting shall be read and confirmed.

(b) Questions.

(c) Petitions.

(d) Notices of questions.

(e) Notices of motions, including any notice of motion for a declaration under Sec. 30 proviso (b) of the Constitution.

(f) Reports.

(g) Orders of the Day.

(h) Motions according to order arranged by the committee appointed by Synod for that purpose.

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5 Added by Rule 2, 1995.
6 Added by Rule 1, 2010.

Orders of the Day and Formal Motions

10. (a) [7] Subject to paragraph (b), except on the first day of session:

(1) at the morning and afternoon sittings, orders of the day and motions in respect of legislation take precedence over general business; and

(2) at the evening sitting, general business takes precedence over legislation;

unless Synod otherwise orders, and in all other respects orders of the day take precedence over other matters.

(b) [8] Before the orders of the day or motions are proceeded with the President at each sitting shall call the motions on the business paper and any motion may be taken as a formal motion, unless someone other than the mover calls "Object", at the discretion of the President, state their name and state that they intend in relation to the motion to oppose it, to seek to amend it, or to seek further information in relation to it, or unless the President determines that the motion should not be taken formally. If a motion is to be taken formally, the mover may address the meeting for no longer than 3 minutes (with no extension) in relation to the motion, after which the motion shall be put forthwith without debate.

Committee of Elections and Qualifications

11. (a) The Committee of Elections and Qualifications shall inquire into and report upon all questions which shall be referred to them by the Synod respecting the validity of any election or return of any member, and also respecting the qualification or disqualification of any person who has been returned as a member of the Synod; and the Committee may sit if they think fit while the Synod is sitting.

(b) The Committee when inquiring into the matters referred to them, may receive the best evidence they can procure or which is laid before them, whether it be such as would be admitted in cases at law or not and they may reject any evidence tendered to them which they may see fit to reject.

(c) The Committee shall report the result of their inquiries to the Synod, and shall report whether they find that the election or return of the member whose case has been referred to them is valid, or whether he is qualified as the case may be; whereupon it shall be competent to move forthwith, without notice, or on any subsequent day, pursuant to notice, that the report be adopted.

(d) Upon the motion for the adoption of the report it shall be competent to substitute for it by way of amendment such resolution in respect to the matter referred to the Committee as to the Synod shall seem proper; provided that such resolution shall state distinctly that the election or return of the member is or is not valid, or that he is qualified or disqualified to be such member as the case may be: and if by such resolution or by the adoption of the report, it be determined by the Synod that the member has not been properly elected or returned or that he is not qualified to be a member, he shall not thenceforth sit (unless re-elected) as a member of Synod, and his seat shall be declared vacant, but if the contrary be determined he may forthwith take his seat.

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7 Replaced by Rule 2, 1992.

8 Amended by Rule 1, 2017.

(e) No member of the Committee of Elections and Qualifications whose case has been directed to be referred to such Committee, and is still undecided, shall sit thereon until his case shall have been finally dealt with by the Synod.

Committee to arrange the order of business

11A.[9] (1) Standing Committee of Synod shall, before each session of Synod, appoint a provisional Committee, comprising the Primate and such other persons as Standing Committee deems fit:

(a) to arrange the order of business of the Synod for the first day of the Session, and for any subsequent day before the appointment of the committee referred to in Standing Order 7(c)(4), with a view to achieving the aims set out in Standing Order 11A(3); and

(b) to cause to be proposed to Synod any report pursuant to Order 11A(3)(aa) and such motions relating to the order of business for a day specified in paragraph (a) as, in its opinion, are desirable to achieve the said aims.

(2)[10] The Committee to arrange the order of business referred to in Standing Order 7(c)(4) shall arrange the order of business of the Synod for each day after its appointment with a view to achieving the aims set out in Standing Order 11A(3) and shall comprise the President, the Chairman of Committees, the Deputy Chairs of Committees, the Clerical Secretary, the Lay Secretary, the General Secretary and such other members, not exceeding 3, as the Synod, by resolution, appoints.

(3) The aims of the Committee are:

(a) to arrange the order of business of the Synod in such a way, subject to the Standing Orders and to any orders of the Synod, as will, in its opinion, best facilitate Synod's dealing with the business before it from day to day; and

(aa)[11] to seek to ensure that the Commissions of the Synod are afforded special opportunity to present issues of substance to the Synod and to report to the Synod on appropriate means of achieving this; and

(b) to cause to be proposed to Synod such motions relating to the order of business as, in its opinion, are desirable to achieve the foregoing aims.

Select Committees

12. Every select committee shall consist of not less than five nor more than twenty-one members and the notice of motion appointing such Committee shall state the number of members it is proposed should serve on such Committee and contain the names of the members proposed to serve thereon. It shall be in the power of any member of the Synod to propose the name or names of any other member or members to serve on such

9 Added by Rule 2, 1992; amended by Rule No. 2, 1995.
10 Amended by Rule 1, 2007.
11 Added by Rule 2, 1995.

Committee. If the nominations are not in excess of the number of persons required to be elected the President shall declare the persons nominated to be duly elected, but whenever they are in such excess all the names proposed shall form a select list out of which such Committee shall be elected by ballot, such ballot shall be taken on the next day of sitting between the hours of 4.30 p.m. and 9 p.m. or on such other day and at such other time as Synod may appoint.

13. Whenever such a ballot is taken, the persons who shall be reported by the scrutineers appointed by the President to have the largest number of votes shall be declared by the President to be duly elected. Any voting paper containing more names than the number of vacancies to be filled shall be informal. Provided that if two or more shall have received an equal number of votes, rendering the issue of the election doubtful, the President shall thereupon give a casting vote.

14. Notice of motion may be given for adding to or substituting members of any select committee which may have been appointed, and such notice shall specify the names of such members. Notice of motion may also be given for discharging a select committee.

15. In select committees, three shall form a quorum.

16. Every select committee shall before proceeding to business elect a chairman, who shall prepare and sign the report of the Committee. The chairman shall have a deliberative vote only.

17. It shall be the duty of a member naming a select committee or proposing to add or substitute members thereon, to obtain previously the assent of the members whom he proposes to serve on such Committee.

18. Select Committees, unless specially appointed to report to the Synod then sitting, shall have power to sit during the recess and report to the Synod in the following session or to the Standing Committee between sessions.

19. Motions for appointment of Select Committees who are to report at the same session of Synod, shall become Orders of the Day, and take precedence of all other business.

20. The mover of the motion for the appointment of a select committee, if a member thereof, shall fix the time for the first meeting of the Committee; if the mover be not a member the President shall fix the time.

Petitions

21. Petitions may be in writing or in typescript and must conclude with the prayer of the petitioners, and be duly signed.

22. Petitions shall not be received which, in the opinion of the President, are disrespectful or couched in offensive language, or which have been altered by erasure or interlineation.

23. A Member presenting a petition must make himself acquainted with its contents, and affix his name at the beginning thereof, and shall state from whom it comes, its material allegations and its prayer, and may require that it be read by one of the Secretaries, and the only question which shall be entertained by the Synod on its presentation shall be "**That the petition be received**."

Questions

24. (a) After the time for presenting petitions, questions may be put, upon notice, to the President relating to any motion or matter connected with the business of the Synod or any committee, board or commission of the synod or any committee, board or commission established by or under a canon or resolution of Synod.

(b) In putting any such question no statement of fact shall be made without leave of Synod and no argument or opinion shall be offered and no inference or imputation shall be made.

(c) A reply to a question shall be in writing and shall be recorded in the proceedings of Synod.

25. Every member shall stand while speaking and address the President.

26. The President may take part in debate without leaving the chair, and may vote on any question.

27. When the President rises in his place all other members shall be seated, and continue sitting until he resumes his seat.

28. All questions of order shall be decided by the President, and such decisions shall be final unless altered by a vote of the Synod forthwith. Any member may speak to a point of order.

29. The President shall confine each speaker to the subject matter of debate, and it shall not be in order for a member to interrupt a speaker except through the President. This Standing Order shall be applied to motions of adjournment.

30. (a) The President shall call to order any member who in his opinion is digressing from the subject matter of the question under discussion, or who shall make personal reflections on, or impute improper motives to, any member.

(b) If any member shall persist in such irrelevant remarks, or shall, in the judgment of the President, be guilty of disorderly conduct, the President may call upon him to make apology, whereupon if he refuse, he shall withdraw, and the Synod shall take his conduct into consideration and may suspend or otherwise deal with him as the Synod thinks fit.

31. (a) At any time during the debate any member may without notice and without debate ask "**Whether in the opinion of the President the question should now be put?**" whereupon, or of his own act, the President may inform the Synod that in his opinion the question has been sufficiently discussed.

(b) If after such expression of opinion by the President a motion be made "**That the question be now put**" the question on such motion shall then be put without further debate and if such motion be carried the President shall forthwith put the original question to the vote.

Provided that, whenever it is decided that any question shall be put the mover of the original motion shall have a right of reply.

32. At any time during debate two members of any House may hand to the President (or Chairman if the Synod be in Committee) a written request that it be ascertained whether or not their House desires an opportunity to consider the matter in debate separately. The President or chairman as the case may be shall as soon as may be convenient call upon one of the signatories to move that the matter be considered separately by his House upon which motion only members of the House concerned shall vote. If the motion be carried the President or chairman shall thereupon adjourn the debate until after the chairman of the House concerned shall have notified him that it has concluded its separate consideration or until a time fixed by the President which shall in his opinion be sufficient to provide an opportunity for separate consideration by the House concerned whichever shall first occur and thereupon the House concerned shall fix a time and place for its separate meeting. If the motion be rejected the debate shall continue.

Adjournment of debate

33. When an adjournment of a debate shall take place, it may be resolved that at the next sitting the debate thus adjourned shall take precedence of all or any of the motions and orders of the day.

Speaking to motions[12]

34.[13] (a) On a motion that a bill be approved in principle or that a bill be passed, the mover may speak for not more than fifteen minutes in support of the motion, and the seconder may speak for not more than ten minutes and any other member speaking to the motion and the mover speaking in reply may speak for not more than five minutes.

(b) On any other motion—

(i) the mover may speak for not more than 10 minutes in support of a motion, and the seconder may speak for not more than 7 minutes and any other member speaking to the motion and the mover speaking in reply may speak for not more than 4 minutes; and

(ii) the mover has a right of reply, after which the question must be put forthwith.

12 Title amended by Rule 1, 2022.

13 New rule substituted by Rule 2, 2010; amended by Rule 1, 2022.

(c) On any motion referred to in paragraphs (a) or (b)—

(i) subject to paragraph (d), and except in Committee of the whole Synod, a member may not speak more than once to the motion, except in explanation; and

(ii) for the purposes of sub-paragraph (i), a member who moves or seconds an amendment is to be taken to be speaking to the motion.

(d) On an amendment to a motion—

(i) the mover of the amendment may speak for not more than 5 minutes in support of the amendment, and the seconder of the amendment and any other member speaking to the amendment may speak for not more than 4 minutes; and

(ii) for the purposes of paragraph (c)(ii), a member other than the mover or seconder speaking to the amendment is not to be taken to be speaking to the original motion.

(e) Paragraph (b) does not apply to the member representing a point of view different from that of the mover of a motion to which Standing Order 37B applies (a group discussion motion). In such case, that member may speak for not more than 10 minutes.

(f) Other than as provided for in paragraphs (a) and (b), the mover of a motion does not have a right of reply.

Motion or amendment not seconded

35. Except in Committee no motion or amendment unless seconded shall be further discussed, nor shall any entry thereof be made in the minutes.

Motions - formally seconding

36. Any member formally seconding a motion shall not be thereby considered as having spoken to the question.

Motions - pursuant to Notice

37. Save as specially provided for in Standing Order No. 8, no member shall bring any subject under consideration of the Synod or ask any question except in pursuance of a notice given in writing on a previous day.

Motions involving expenditure

37A.[14] A notice of motion that will, if passed, result in expenditure from the funds available to the General Synod shall not be included on the order of business for a day in a session unless it sets out, or is accompanied by a paper setting out:

(a) the proposed source of funding; and

(b) an itemised statement of expected income and expenditure that will result from the passing of the motion, being, if the expenditure will continue for more than one year, the expected income and expenditure per year.

Motions requiring group discussion

37B.[15](a)[16] Synod may by resolution declare that a motion (not being a motion for a Bill for a Canon or that such Bill be passed) requires group discussion.

(b)[17] When such a motion has been moved and spoken to by the mover and formally seconded, then:

(i) one member representing a point of view different from that of the mover, shall be invited by the President to speak;

(ii) the President shall ask if any member or members wish to ask the mover or other previous speaker any question or questions to assist members to elucidate the purpose and intended effect of the motion, and any member may then ask any such question or questions which may immediately be answered by the mover or other previous speaker;

(iii) further questions may be asked and answered until the President announces the time for questions has finished;

(iv) the Synod shall resolve itself into discussion groups until the President announces that the debate shall proceed.

Motions - without Notice

38. A motion, however, may be made or a question may be asked without previous notice by leave of the majority of the members then present.

Motions - Lapsed

39. Motions shall be taken in the order in which they stand, and if not then made, unless postponed by leave of the Synod, shall be considered as having lapsed.

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14 Added by Rule 5, 1992.
15 Added by Rule 1, 2004.
16 Amended by Rule 3, 2010.
17 Amended by Rule 3, 2010.

Motions - put by the President

40. When a motion has been made and seconded, a question thereupon shall be proposed by the President, and at any time before the close of the debate any member may move an amendment.

Amendments

41.[18] No amendment (except of a grammatical or editorial nature) shall be put from the chair unless it be seconded and a copy thereof shall have been handed to the President and the Secretaries of Synod (unless the procedure set out in Standing Order 42A is followed).

42.[19] (a) An amendment may be proposed by omitting certain words, omitting certain words in order to insert or add other words, or by inserting or adding words.

(b) The President shall put the question "**That the amendment be agreed to**", or such other question or questions as in his opinion will most conveniently determine whether the Synod agrees to the amendment.

(c) An amendment may be proposed to a proposed amendment as if such proposed amendment were an original question.

(d) An amendment proposed shall be disposed of before another amendment to the original question can be moved.

(e) When amendments have been made, the main question shall be put as amended.

42A.[20](a) A member proposing an amendment should notify the General Secretary in writing (which may be by facsimile or email) prior to 9am on the fifth business day prior to the commencement of the session of Synod.

(aa)[21] A member may not propose an amendment between the time specified in paragraph 42A(a) and the commencement of the session of Synod.

(b) A member proposing an amendment after the commencement of the Synod must provide it in writing in duplicate and deliver it to a secretary of the Synod.

(c) Any proposed amendment (other than one given under paragraph 42A(a)) received by the secretaries prior to 7.30pm on the first or any subsequent day of sitting must be incorporated in the amendment sheet to be circulated on the next day of sitting.

(d) After considering a proposed amendment and conferring with the proposer, the mover of the relevant motion must, as soon as practicable, notify the secretaries whether the amendment is acceptable to the mover or whether it is not, and whether in the mover's opinion any consequential redrafting is required. Where appropriate, a fresh text should be made available to the secretaries together with an electronic copy of that text.

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18 New wording substituted by Rule 1, 2004.
19 Replaced by Rule 2, 1995.
20 Section added by Rule 1, 2004 and amended by Rule 2, 2014.
21 Section added by Rule 2, 2014.

(e) After conferring with the mover, a member proposing an amendment who decides not to proceed with that amendment must, as soon as practicable, notify the secretaries of Synod of that fact.

(f) The secretaries must, in respect of any notification under this Standing Order received by them prior to 7.30pm on the first or any subsequent day of sitting, notate the amendment sheet to be circulated on the next day of sitting in respect of any proposed amendment with the words "**accepted by the mover**", "**withdrawn**", "**to be replaced by ….**", or otherwise as appropriate to inform members of Synod of the status of any proposed amendment.

(g) If the mover of a motion accepts any proposed amendment the mover may, with the leave of Synod, move the motion in that amended form incorporating any consequential amendments.

(h) The provisions of this Standing Order are subject to an over-riding discretion in the President or the Chairman to put to the Synod or the Committee any other procedure which will best work for the efficient dispatch of the business of the Synod.

(i) Nothing in this Standing Order 42A limits the operation of Standing Order 40.

Previous question

43. When it is desired to avoid or postpone a decision on any question, it shall be competent for any member to move the previous question.

When the previous question is moved it shall not stop debate which shall continue, but no amendment may be moved until the previous question has been disposed of by the Synod.

The previous question shall be put by the President - "**That the motion be not put**."

The previous question shall not be moved in Committee.

Question may be superseded

44. A Question may be superseded -

(1) By the adjournment of the Synod on the motion of a member "**That the Synod do now adjourn.**"

(2) By the previous question, viz., "**That the motion be not put,**" being proposed and affirmed.

Motions - how resolved

45.[22] (a) Questions shall be resolved by the majority of the voices "Aye" or "No", or by a show of hands, or by electronic voting; but on demand being made by five members a division shall take place.

(b) Unless a vote by Houses is requested in accordance with section 15 of the Constitution, or a Division as requested under Standing Order 54, a question shall be resolved by, the mechanism of Standing Order 45(a), and the President shall state which side has the majority.

Vote by Houses

46. (a) A vote by Houses may be required on demand by not less than five members of the House of Bishops or by ten members of the House of Clergy or by ten members of the House of Laity.

(b)[23] In the event of a vote by Houses being required all questions shall be put by the President or Chairman or presiding member first to the House of Laity and then to the House of Clergy and finally to the House of Bishops and no question shall be deemed to be resolved in the affirmative by Synod unless it be so resolved by a vote of the majority of those present in each of the three houses by the mechanism of Standing Order 45(a).

(c) Any two members of the House of Bishops or any ten members of the House of Clergy or the House of Laity may demand a ballot in their house. Such ballot shall be conducted in that house in accordance with the requirements of Standing Order 46A.[24]

46A.[25](a) A question shall be decided by ballot if -

(i) the President so determines; or

(ii) a majority of the Synod voting as a whole on a motion "That the question be deci**ded by ballot**" so decides.

(b) A motion referred to in paragraph (a)(ii) may be moved without notice at any time prior to the question being put.

(c) A ballot shall be conducted in the following manner:

(i) A single piece of paper of one colour for members of the House of Laity, of a different colour for members of the House of Clergy and of a different colour for members of the House of Bishops shall be handed to each member

[22] Section 45 replaced by Rule 3, 2017.
[23] Amended by Rule 3, 2017.
[24] Amended by Rule 2, 1995.
[25] Added by Rule 2, 1995.

of the Synod present by such person or persons or in such manner as the President shall direct;

(ii) No member who has received a ballot paper may leave the Synod until directed by the President;

(iii) When the President is satisfied that all ballot papers have been distributed, he shall direct that no member may enter the Synod until allowed by the President;

(iv) A member voting in favour of the motion shall write "Yes" on the paper and a member voting against the motion shall write "No" on the paper. A paper which contains neither "Yes" nor "No" shall be treated as informal and shall not be counted for or against;

(v) All ballot papers distributed shall be returned in such manner as the President shall direct, and when satisfied that all papers have been returned the President may direct that members may enter or leave the Synod;

(vi) The President shall appoint tellers who shall forthwith count the votes, if necessary in houses, for and against and any informal votes, and one of the tellers shall inform the President of the result which shall be announced by the President.

Motions - withdrawal of

47. Any motion may be withdrawn by the mover unless ten members object.

Motions previously dealt with, etc.

48. No subject which shall have been under the consideration of the Synod and disposed of, shall be again brought forward during the session.

49. No question shall be entertained which in the opinion of the President is substantially the same as one which has been resolved during the same session.

Count out

50. If at any time during the progress of business, on any member moving that the Synod be counted, there be not a quorum, the President shall adjourn the Synod until the next time of sitting.

51. A debate interrupted by such counting out shall at the next time of sitting be resumed at the point where it was interrupted.

Adjournment of Synod, or debate

52. A Motion for adjournment of either the Synod, or the debate, may be made at any time; provided that no member shall be interrupted thereby while speaking.

Motions - members to conclude with

53. When no question is before the Synod, no member shall be at liberty to speak unless he intends to conclude by making a motion; and any member desiring to submit a motion of which notice has not been given, shall, when called upon by the President, forthwith state what motion he intends to make.

Divisions

54. When a division is demanded whether Synod be voting together or by Houses, the President or the Chairman if the Synod be in Committee shall put the question, and, after the lapse of two minutes, shall direct the members then present to divide, the "Ayes" to the right, the "Noes" to the left of the chair, and shall appoint two tellers from each side, and shall declare the number of votes on each side from a count of the members voting to be given him by the tellers. The President or Chairman shall declare the question carried or lost as the case may be. Where the Synod is voting together a majority will carry the question unless a special majority is required by the Constitution.

55. Members may leave or enter the Synod during the two minutes which elapse before the division, but after the President commences to direct the members to divide, no member shall leave or enter the Synod until the division is concluded; and after the appointment of tellers no member, except the tellers, shall change his place from one side of the chair to the other.

Standing Orders - Suspension of

56. Any Standing Order of the Synod may at any time be suspended on motion with notice. Any Standing Order may also be suspended on motion without notice, unless ten members object.

Committee of the whole – Quorum

57. In Committee of the whole Synod, the same number of members shall form a quorum as in the Synod itself.

58. If, during the progress of business in Committee, notice be taken that there is not a quorum, the Chairman shall leave the chair and report the same.

59. A Motion made in Committee need not be seconded.

Adjournment of Committee

60. A Motion of adjournment of Committee shall be "That the Chairman leave the chair, report progress, and ask leave to sit again." On such motion being carried the Chairman shall report to the Synod and ask leave accordingly.

Standing Orders to apply in Committee

61.[26] The Standing Orders shall, so far as applicable, be observed in Committee, and the Chairman shall have the same authority as the President.

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[26] Amended by Rule 1, 2004.

Absence of Chairman of Committees

62.[27] In the case of absence of the Chair, or by arrangement between the Chair and a Deputy Chair, a Deputy Chair shall act. In the case of the absence, inability or unwillingness to act of all the Deputy Chairs, a member whom the Committee shall appoint shall act.

Bills to make Canons

63.[28] (1) In this Standing Order, unless the contrary intention appears:

"**Bill**" means a bill for a canon and, in relation to a canon, means the bill for that canon;

"**Group Discussion Bill**" means a bill which has been declared by the Synod under Standing Order 37B to require group discussion;[29]

"**Clause**", in relation to a bill, includes a Schedule to the bill;

"**Committee**" means the Committee of the whole Synod.

(2) A canon of the Synod shall be made, subject to this Order, by:

(a) the Synod agreeing to a motion that the bill be approved in principle;

(b) the committee then considering the bill in detail and agreeing to it either with or without amendment; and

(c) the Synod agreeing to a motion that the bill do now pass.

(3) A motion that a bill be approved in principle shall not be included in the agenda:

(a) unless the provisions of paragraph 27(1)(i) of the Constitution as to notice have been complied with or Synod has, in accordance with that paragraph, declared the bill to be a matter of urgency; and

(b) if Standing Order 37A applies to the motion, unless the financial information required by that Standing Order has been provided.

(4) At the time of moving a motion that a bill be approved in principle the mover may seek the leave of the Synod to introduce the bill with amendments to the bill as circulated to each diocese. If such leave is given the bill as so introduced shall be the bill to be debated.

(4A)[30] At the time of moving a motion that a bill be approved in principle the mover may seek the leave of the Synod also to move forthwith one or more other motions that another bill or other bills be approved in principle.

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27 Replaced by Rule 1, 2004; replaced by Rule No. 1, 2007.
28 Replaced by Rule 2, 1992; replaced by Rule No. 1, 1995.
29 Definition added by Rule 1, 2004.
30 Added by Rule 1, 2026.

(5)[31] When a motion that a bill (other than a Group Discussion Bill) be approved in principle has been moved and spoken to by the mover and seconded, the President shall ask if any member or members wish to ask the mover or seconder any question or questions to assist members to elucidate the purpose and intended effect of the bill, and any member may then ask any such question which may thereupon be answered by the mover or seconder. Further such questions may be asked and answered until the President announces that the debate shall proceed.

(5A)[32] When a motion that a Group Discussion Bill be approved in principle has been moved and spoken to by the mover and formally seconded, then:

(a) one member representing a point of view different from that of the mover shall be invited by the President to speak;

(b) the President shall ask if any member or members wish to ask the mover or other previous speaker any question or questions to assist members to elucidate the purpose and intended effect of the bill, and any member may then ask any such question or questions which may immediately be answered by the mover or other previous speaker;

(c) further questions may be asked and answered until the President announces that the time for questions has finished;

(d) The Synod shall resolve itself into discussion groups until the President announces that the debate shall proceed.

(6)[33] A person who has asked or answered a question during the period referred to in paragraph (5) or paragraph (5A) shall not, for the purpose of the ensuing debate, be deemed to have spoken on the motion by virtue only of having asked or answered such question.

(7)[34] After the President shall have announced that the debate shall proceed, the general principle of the bill shall be debated. Where leave has been given under subrule (4A), the general principle of all the bills or any of the bills the subject of a motion that a bill be approved in principle may be debated.

(7A)[35] Where the general principle of more than one bill has been debated in the same debate, the President must put separately in respect of each bill the question whether the bill be approved in principle, but that question must be put in relation to each of those bills before the next stages commence in relation to any of them.

(8) If the motion that the bill be approved in principle be decided in the negative the bill shall lapse.

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31 Amended by Rule 1, 2004.
32 Section added by Rule 1, 2004.
33 Amended by Rule 1, 2004.
34 Amended by Rule 1, 2026.
35 Added by Rule 1, 2026.

(9)[36] When the Synod has agreed to a motion that a bill be approved in principle, but subject to subrule (7A), the President shall ask if any member wishes to debate the bill in Committee.

(10) If any member shall answer "**Yes**" then the Synod shall, without motion being moved, forthwith be deemed to have resolved itself into Committee to consider the bill in detail, unless the Synod resolves that consideration of the bill by the Committee be an order of the day for another time.

(11) If no member shall answer "**Yes**", the motion that the bill do now pass may be moved forthwith without notice or may be made an order of the day for another time.

(12) If a bill is considered in Committee, the Chairman may allow the bill to be considered:

(a) as a whole;

(b) clause by clause;

(c) by groups of clauses or by groups of clauses and single clauses; or

(d) in a manner which, in his opinion, the Chairman considers will best facilitate consideration of the amendments of the bill that are to be proposed.

(13) In Committee if the bill is not taken as a whole:

(a) the title and preamble (if any) are postponed until after the clauses have been agreed to; and

(b) the question shall be put by the Chairman in respect of each clause or each group of clauses, as the case requires, that it be agreed to; and

(c) when the clauses have all been agreed to either with or without amendment, the question shall be put, first in respect of the preamble (if any) then in respect of the title, that it be agreed to.

(14) Upon the Committee completing its consideration of a bill:

(a) the Synod shall be deemed to be reconvened and the Chairman shall report to the President the bill as agreed by the Committee;

(b) the President shall, without a motion being moved, put to the Synod the question "that the report be agreed to': which question shall be open to amendment that the bill, or a specified clause, be recommitted to the Committee to consider an amendment.

(15) When the question that the report of the Chairman be agreed to has been put to and passed by Synod, the motion that the bill do now pass may be moved forthwith without notice or made an order of the day for another time.

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[36] Amended by Rule 1, 2026.

(16)[37] When a bill has been considered in Committee, a motion that the bill do now pass shall not be moved unless and until the Chairman has, by certificate endorsed on a copy of the bill, certified that the copy is a true copy of the bill as agreed to by the Committee, unless the President determines otherwise. The President may only determine otherwise if there have been no amendments to the bill, or if all amendments in committee are of a grammatical or editorial nature.

(17) A motion that a bill do now pass shall be open to amendment that the bill, or a specified clause, be recommitted to the Committee to consider an amendment.

(18) If a bill, or a clause of a bill, is recommitted to the Committee:

(a) the Synod shall, without a motion being moved, forthwith be deemed to have resolved itself into Committee to consider the proposed amendment;

(b) the procedure in Committee shall, as nearly as practicable, be the same as the procedure following the passing of the motion that the bill be approved in principle except that the Committee shall consider only amendments relating to the purpose of its recommittal; and

(c) the procedure following completion of the consideration of the bill in Committee shall, as nearly as practicable, be the same as that following completion of consideration of the bill in Committee in the first instance.

(19) If the motion that the bill do now pass is agreed to, then:

(a) if the bill was not considered in Committee, the bill as introduced shall be a Canon duly passed; and

(b) if the bill was considered in Committee the bill as certified by the Chairman shall be a Canon duly passed.

Thereupon, or at some later time, the President may appoint when the canon shall come into force in accordance with the requirements of section 30 of the Constitution.

(20) The clerical secretary and the lay secretary shall certify on a copy of the canon that it is a copy of the canon as passed and the date of its passing.

(21) A motion making the consideration of a bill an order of the day may be moved without notice.

(22) A motion that a bill be approved in principle may be moved by the member of Synod who gave the notice or, by leave of Synod, any other member.

(23) Amendments of a grammatical or editorial nature, or to alter the numbering of sections, subsections and paragraphs or subparagraphs or cross-references in consequence of an amendment made to a bill, may be made, and clerical or typographical errors may be corrected in any part of a bill by the Chairman of Committees or, in the case of a bill which has not been considered in Committee, by the clerical secretary and the lay secretary without any motion being agreed to.

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37 Amended by Rule 1, 2001; amended by Rule 1, 2004.

63A.& 63B.[38] [deleted]

Special Bills

64.[39] (1) A bill that is a special bill under subsection 28(1) of the Constitution, or is to be dealt with as a special bill under subsection 28(2) of the Constitution, shall be considered as provided in Standing Order 63 subject to the qualifications set out in subsection 28(c) of the Constitution and in this Standing Order.

(2) A motion that a bill need not proceed as a special bill may be moved without notice and shall be put immediately before or after the motion that the bill do now pass is moved.

(3) A petition under subsection 28(2) of the Constitution in respect of a bill must be presented to the President before the motion that the bill do now pass is moved and the President shall put the motion that the bill be treated as a special bill immediately before the motion that the bill do now pass is moved.

(4) Where the reports and recommendations received from diocesan synods in respect of a provisional canon have been presented to the Synod:

(a) copies of the provisional canon shall be circulated to members;

(b) any member may give notice of a motion that the provisional canon be approved in principle; and

(c) the provisions of Standing Order 63 (other than Standing Order 63(3)) and the preceding provisions of this Standing Order apply as if the provisional canon were a bill for a canon.

Alterations of the Constitution

65.[40] (1) A bill for a canon to alter the Constitution shall be made, subject to this Order, by

(a) the Synod agreeing to a motion that the bill be approved in principle;

(b) the Committee considering the bill in detail and agreeing to it either with or without amendment;

(c) the Synod agreeing to a motion that the bill do now pass; and

(d) the relevant conditions of section 67 of the Constitution being complied with in respect of the bill.

(2) The provisions of Standing Orders 63(1) and (3) to (23), inclusive, apply to a bill for a canon to alter the Constitution in like manner as they apply to a bill for any other canon.

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38 63A and 63B deleted by Rule 1, 1995.

39 Replaced by Rule 1, 1995.

40 Previous Standing Order 65 renumbered 67 and new Standing Order 65 made by Rule 1, 1995.

(3) If section 67 requires a bill for a canon to amend the constitution to be passed by a majority of dioceses, assents being determined by the votes of the representatives of the dioceses:

(a) the votes on a relevant motion shall be cast in writing indicating whether members vote for or against the motion or abstain from voting;

(b) the votes shall be counted by scrutineers appointed by the President;

(c) the scrutineers shall inform the President of the results of the voting; and

(d) upon a vote being taken, further consideration of the bill stands adjourned, without motion being moved, until called on by the President as soon as practicable after he has been informed of the result of the vote.

Rules

66.[41] (1) A rule shall be made by resolution.

(2) The proposed rule shall be circulated to each diocese at least two months before the first day of the session of Synod at which the resolution is to be presented provided that the Standing Committee may allow a shorter period of notice and provided further that Synod by an affirmative vote of three-fourths of the members present may declare any resolution to be a matter of urgency and permit it to be included in the agenda without further notice.

(3)[42] The provisions of Standing Order 63 (other than Standing Orders 63(3), and (19) apply to a proposed rule as if any reference therein to a bill were a reference to a proposed rule.

(4) If the motion that the proposed rule do now pass is agreed to, then

(a) if the proposed rule was not considered in Committee, the proposed rule as introduced shall be a rule duly passed; and

(b) if the proposed rule was considered in Committee, the proposed rule as certified by the Chairman shall be a rule duly passed.

Parliamentary Practice

67.[43] In all cases not herein provided for, resort shall be had to the rules, forms and practice of the House of Representatives of the Parliament of the Commonwealth of Australia, so far as they can be applied.

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41 Added by Rule 1, 1995.
42 Amended by Rule 3, 2014.
43 Previously numbered 65 - renumbered by Rule 1, 1995.

II. RULES FOR THE APPOINTMENT OF A STANDING COMMITTEE OF GENERAL SYNOD AND DEFINING ITS POWERS AND DUTIES

1. At every ordinary session of the Synod a Standing Committee shall be appointed, the members of which shall continue in office until the appointment of their successors.

2.[1] The Standing Committee shall consist of:-

The Primate, who shall be the President;

The Metropolitans of the Provinces including any bishop exercising the authorities, powers, rights and duties of a metropolitan as provided in the Constitution;[2]

The Chair of Committees[3] for the time being of the Synod;

[4]****

Three Bishops to be elected by the House of Bishops;

Nine members of the House of Clergy to be elected by the House of Clergy;

Nine members of the House of Laity to be elected by the House of Laity;

Two persons nominated by the National Aboriginal and Torres Strait Islander Anglican Council, being one Aboriginal person and one Torres Strait Islander person, who are members of Synod;

The General Secretary for the time being of the Synod, but without the right to vote.[5]

2AA.[6](1) A person who is a member of staff of the General Synod Office is ineligible to become or remain a member of the Standing Committee by virtue of being the Chair of Committees for the time being of the Synod, a member of the House of Clergy, a member of the House of Laity, or a person nominated by the National Aboriginal and Torres Strait Islander Anglican Council.

(2) In this section, ***member of staff of the General Synod Office*** means a person with a contract of employment working in the General Synod Office and paid directly or indirectly from General Synod funds.

2A.[7] (1) If the Primate is absent from a meeting of Standing Committee, the members present shall elect one of their number to preside at the meeting.

(2) The person presiding at a meeting of Standing Committee may, at any time, during the meeting call upon a member present to preside, temporarily, at the meeting.

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1 Amended by Rule 2, 2007.
2 Amended by Rule 2, 1966.
3 Amended by Rule 4, 2022.
4 'The Secretaries for the time being of the Synod' deleted by Rule 4, 2022 (to take effect at the commencement of the 19th General Synod).
5 Added by Rule XXVI (Rule 1, 1981); amended by including the words ', but without the right to vote' by Rule 4, 2022 (took effect in February 2026, being the date on which the person who is General Secretary when this Rule was made ceased to be General Secretary).
6 Added by Canon 11, 2026.
7 Added by Rule XXIX (Rule 1, 1989).

3. If between sessions of Synod a vacancy should happen among the elected members, that is to say by death, resignation in writing to the Primate, or in the case of a member elected by the House of Clergy, election to the House of Bishops, the vacancy shall be filled by election by the Standing Committee.

If the Chair of Committees [8][9] should between sessions of Synod resign his or her office he or she shall cease to be a member of Standing Committee and the vacancy shall not be filled.[10]

A person must be a member of General Synod at the time of his or her election or appointment to the Standing Committee, but shall not cease to be a member of the Standing Committee by reason only of ceasing to be a member of General Synod.[11]

4.[12] (1) The Primate shall summon meetings of the Standing Committee at such places as he may determine by giving one month's notice to the members and at such times as follows:-

(a) Within six months of the close of an ordinary session of Synod.

(b) Not more than nine nor less than six months prior to the holding of an ordinary session of Synod.

(c) Upon receiving a written request from not less than ten members of the Standing Committee.

(d) At such times in addition to the above as he may deem advisable.

Provided however that the giving of one month's notice shall not be required where the Primate either before or during a session of Synod summons a meeting of the Standing Committee to occur immediately before, during or immediately following that session.[13]

(2)[14] Subject to rule 4A(6), a quorum of the Standing Committee consists of one half the total number of the members (ignoring any fraction resulting from the division) plus one.

(3) Subject to sub-section (2) the Standing Committee may act notwithstanding vacancies in its membership or a defect in appointment of a member.

(4) A decision carried by a majority of the votes cast by the members present at a meeting is a decision of the Standing Committee.

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8 Amended by Rule 4, 2022.
9 The words 'or a Secretary of Synod' deleted by Rule 4, 2022 (to take effect at the commencement of the 19th General Synod).
10 Added by Rule 2, 1966, and amended by Rule 1, 1998.
11 Added by Rule 1, 1998.
12 Amended and sub-sections 4(2) – (7) added by Rule 2, 2007.
13 Proviso added by Rule 6, 1992.
14 Amended by Rule 3, 2022.

(5) Each member present at a meeting of the Standing Committee has one vote on a matter arising for decision and, if the votes are equal, the decision is not carried.

(6) A telephone or video conference between members will, for the purposes of this section, be taken to be a meeting of the Standing Committee at which the participating members are present.

(7) A proposed resolution of the Standing Committee becomes a valid decision of the Standing Committee despite the fact that it is not voted on at a meeting of the Standing Committee if:

(a) notice of the proposed resolution is given to all members in accordance with procedures determined by the Standing Committee; and

(b)[15] at least two thirds of the members respond in writing to the notice and of those who do so respond and do not in that response declare that they have a conflict of interest at least three-quarters express their concurrence with the proposed resolution.

4A.[16](1) A member who has a conflict of interest in relation to a matter that is to be considered by a meeting of the Standing Committee must declare that conflict to the meeting—

(a) if the matter is on the agenda of a meeting, at a time when considering or approving the agenda is a question before the meeting; or

(b) in any other case, where the matter is the question.

(2) Subject to sub-rules (3) and (4), a member who has a conflict of interest in relation to a matter must not be present while the matter is being considered.

(3) After a member who has a conflict of interest has left the meeting, the meeting may resolve to allow the member to return to be present (but not to speak or to vote or to be counted as a person who is present for the purposes of rule 4(4)).

(4) In the exercise of its powers under sub-rule (3), a meeting may resolve that all members who have left the meeting may return and be present, but may not resolve that some of those members but not others of those members may return and be present.

(5) In the case of a resolution proposed under rule 4(7)(b), a member who has a conflict of interest must declare that conflict by stating in their response to the notice that they have a conflict of interest.

(6) Despite rule 4(2), a quorum of the Standing Committee for the purposes of disposing of the business of the meeting, in respect of which one or more members have left the meeting under sub-rule (3) due to a conflict of interest, is, until that business has been disposed of, the members who were present when that item of business was reached and who do not have a conflict.

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15 Amended by Rule 4, 2017; amended by Rule 3, 2022.

16 Added by Rule 3, 2022

(7) For the purposes of this rule, a member of the Standing Committee has a conflict of interest when their responsibilities as a member may be influenced or affected, or may reasonably be perceived as being influenced or affected, by—

(a) their personal financial interest, or those of their family or friends;

(b) their reputation, or that of their family or friends;

(c) their obligations or loyalty to another person or organisation (other than a Diocese, or a body established by the Constitution or a canon of General Synod);

(d) their previous or current relationship (whether personal or professional) with someone who might be affected by how they discharge those responsibilities; or

(e) their previous or current involvement in another capacity in a matter now falling within those responsibilities.

5. It shall be the duty of the Standing Committee:-

(a) To act as advisers to the Primate in all such matters as he may refer to them arising out of the rules and canons of Synod or affecting the general welfare of the Anglican Church of Australia.

(b) To make arrangements for the sessions of the Synod, and to prepare the business to be brought before the Synod.

(c) To propose such business as may appear to the Committee to be necessary or desirable to be brought before the Synod.

(d) To print a report of the proceedings of the Synod from time to time, and all documents ordered by the Synod to be printed.

(e) To apportion among the dioceses on an equitable basis the necessary working expenses of the Synod and of the Standing Committee and other expenses specially authorised by the Synod; to collect such apportionments, and therewith to defray the expenses aforesaid.

(f) To make elections to vacant offices as the Synod shall from time to time determine.

(g) To consider and report upon any matter which the Synod may from time to time refer to it and to carry out or assist in carrying out the resolutions passed by the Synod.

(h) To communicate the canons of the Synod to the dioceses, and conduct such correspondence as may be necessary for the forwarding of the work of the Synod.

(i) To procure and have in custody all requisite documents and funds in connection with the proceedings of the Synod.

(j) To consider such matters as by the Constitution it is directed to consider and to advise the President of Synod thereon.

(k) By resolution to request the Primate to convene a special session of Synod under Sec. 23b of the Constitution.

(l) To attend to all such other business as the Synod may from time to time refer to it.

(m) To present a report of its proceedings including an audited statement of receipts and expenditure to the Synod at every ordinary session thereof and an interim report of its proceedings annually to all members of Synod through the diocesan bishops.

(n)[17] To invest and deal with the moneys of the General Synod not immediately required in such manner as the Standing Committee may from time to time determine.

6. The Standing Committee is hereby authorised:-

(a) To appoint a Secretary and a Treasurer who need not be members of the Committee and an Auditor who shall not be a member of the Committee.

(b) To delegate any portion of its powers and duties to committees with obligation to report to the Standing Committee, but the powers so delegated shall be strictly defined and be revocable by the Standing Committee at pleasure.

(c) To deliberate and confer upon all matters affecting the interests of the Anglican Church of Australia and cognisable by the Synod.

(d) To communicate with the civil powers and all such bodies and persons as it shall consider necessary, to present petitions and addresses to all such bodies and persons, and take such action with reference to national issues and public functions as it should consider desirable, to confer with or co-operate with other Christian bodies on such subjects and at such times as it may think fit - provided that any such action taken by the Standing Committee under this sub-section and not previously sanctioned by the Synod shall be reported to the Synod at its next meeting.

(e) To obtain such expert opinion as it may seem desirable upon the legal and constitutional validity of rules and canons made by or proposed to be brought before the Synod.

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17 Added by Rule 3, 1995.

III. RULES FOR THE CONDUCT OF ELECTIONS ORDERED TO BE MADE BY THE GENERAL SYNOD

Interpretations

1. In these rules

"**Acknowledgment** "means the acknowledgment of the candidate that the General Secretary will disclose whether there is any, and if so what, Information in the National Register relating to the candidate to the house of the General Synod entitled to vote or the members of the General Synod as the case may be. [1]

"**Candidate**" means any person duly nominated for election to any office under rules, regulations and canons of the Synod.

"**Secretaries of Synod**" means the persons holding such office for the time being under Standing Order 7(c) of the Synod, and includes any person or persons appointed by the President to act for the said secretaries.

"**Voter**" means a member of Synod exercising a right to vote in any election by the whole Synod or by any portion thereof.[2]

Elections governed by these rules

2. Where it has been or shall hereafter be determined by any canon or resolution of Synod that an election of any person or persons to any office shall be made by Synod or by any house or by any portion of such Synod the election shall unless otherwise provided by such canon or resolution be conducted as hereinafter provided.

Nevertheless in the case of any election required under Standing Orders 7(c), 12, 13, 14, the Synod may by resolution determine the procedure for such election.

Time of elections

3.[3] The Primate in the summons convening the Synod or otherwise shall specify the elections to be made in the session of the Synod so convened, and shall appoint a day not earlier than:

(a) the fourth day of the session for the holding of any election for the Appellate Tribunal and the panel of persons from which the members of the Special Tribunal are appointed ; and

(b) the third day of the session for the holding of any other elections and shall name the place of election, and the time (not being less than four hours) within which any such election shall take place and the said election shall take place upon the day and at the place and within the time so appointed, provided that Synod may by resolution name some different time, being not less than four hours, within which any such election shall take place.

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1 Added by Rule 4, 2010.
2 Amended by Rule 1, 2014.
3 Amended by Rule 4, 2010.

Synod may declare election emergent

4. Where, after the issue of the Primate's summons convening Synod, necessity for any election has arisen, or if any notice of election should have been omitted from such summons, it shall be competent for the Synod at any time during the session by resolution to declare any such election to be an "emergent" election, and the President shall thereupon appoint a time and a place for receiving nominations for such emergent election, and also a time for the holding of such election.

   In all other respects such emergent election shall be conducted as far as practicable in conformity with the provisions of these rules.

5. (a) Any two members of Synod may nominate in writing any person or persons duly qualified for election to any office (but not exceeding the number of persons required to be elected to such office), and the consent of every person so nominated shall be endorsed thereon or if an endorsement cannot reasonably be obtained certified in writing by one of the nominators. Provided that where elections to an office are to be made by the members of any house or portion of Synod nominations as aforesaid shall be made only by members of that house or portion.

   (a1)[4] A nomination must contain:

   (i) the full name;

   (ii) any former name;

   (iii) the date of birth; and

   (iv) the acknowledgment of the person so nominated or if an acknowledgment cannot be obtained the certification in writing by one of the nominators that the person has given their acknowledgment.

   (b) Every nomination shall be delivered to the secretaries of Synod or to the secretary of the house or portion as the case may be, or to such other person or persons as the President may from time to time appoint, before the hour of nine o'clock in the evening of the second day of the session unless the Synod otherwise resolves, and no nomination shall be valid unless this procedure shall have been complied with.

Names to be exhibited

6. (a)[5] When nominations shall have closed, the Secretaries of Synod shall cause to be prepared lists of all candidates, and the offices to which they are nominated, and shall cause such lists to be exhibited conspicuously in the Synod Hall up till and during the time of election.

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4 Added by Rule 4, 2010; amended by Rule 2, 2017; amended by Rule 2, 2022.

5 Amended by Rule 1, 2014.

(a1)[6] In respect of all nominations:

(i) The General Secretary shall have access to the National Register and disclose to the Secretaries whether or not there is any Information in the National Register relating to each candidate, and if so, what is the Information7;

(ii) The Secretaries shall cause the lists of all candidates to include the information received from the General Secretary.[8]

(b) Any candidate may, by notice in writing addressed to Secretaries, withdraw consent to his or her nomination at any time prior to the exhibition of the lists as aforesaid, and thereupon that nomination shall be withdrawn and the person's name omitted from the list of candidates[9].

Election without ballot

7.[10] Subject to rule 16A, where the number of candidates for any office does not exceed or is less than the number of persons required to be elected, the President shall declare the candidates duly elected, and any additional number of persons still required to be elected shall be elected in the manner hereinafter provided.

Electronic balloting[11]

7A. (1) The Standing Committee may determine that a ballot to which Rules 8, 9, 10, 11, 12 and 13 would otherwise apply is to be conducted using an approved electronic method.

(2) Where a ballot is conducted using an approved electronic method, each person present and entitled to vote at the relevant session of the Synod is entitled to vote by that method.

(3) In this rule, **approved electronic method** means a method of conducting a ballot electronically recommended by the General Secretary and approved by the Provisional Business Committee that—

(a) in all respects records and counts votes as if they had been recorded and counted under Rules 8, 9, 10, 11, 12 and 13; and

(b) is at least as confidential, secure, free from manipulation and corruption, accurate and reliable as a ballot conducted under Rules 8, 9, 10, 11, 12 and 13.

6 Added by Rule 4, 2010; amended by Rule 2, 2017; amended by Rule 2, 2022.
7 Amended by Rule 1, 2014.
8 Amended by Rule 1, 2014.
9 Amended by Rule 1, 2014.
10 Amended by Rule 1, 2014.
11 Added by Rule 2, 2022.

Ballot papers

8.[12] Where the number of candidates for any election exceeds the number required to be elected, the Secretaries shall cause ballot papers to be printed or otherwise prepared in the form or to the effect of the schedule hereto.

Appointment of scrutineers

9. Where any ballot for any election becomes necessary, the President shall appoint two or more scrutineers for each election whose duty shall be to count the votes recorded at any such ballot, and to report in writing the result to the President as hereinafter provided.

Rules for voting

10. (a) The voter shall mark a cross opposite the name of each candidate appearing on the ballot paper for whom he desires to vote.

(b) Each voter shall vote for not more than the number of candidates required to be elected.

Invalid ballot papers

11. The Scrutineers shall reject as informal ballot papers:

(a) not initialled by the Secretaries or their deputies, or

(b) recording votes for a greater number of candidates than the number required to be elected; or

(c) not marked in accordance with the provisions of these rules.

Method of taking ballot

12.[13] On the day and at the place appointed for the holding of any election, every member of Synod present at the session of the Synod, and being entitled to vote at any particular election, may on personal application to the Secretaries or their deputies receive a ballot paper for such election, and the Secretaries or their deputies shall before issuing any such ballot paper, initial the same, and shall keep a record of every person to whom any such ballot paper has been issued, and every such person shall thereupon be deemed to have voted, and shall not be entitled to receive any other ballot paper in respect of any such election unless and until the ballot paper already issued to that voter shall have been returned to the Secretaries or their deputies, in a spoilt condition in which case the Secretaries or their deputies shall destroy the ballot paper first issued to such person, and shall thereupon deliver to that voter a fresh ballot paper in its stead.

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12 Amended by Rule 1, 2014.

13 Amended by Rule 1, 2014.

Recording votes

13.[14] Every voter having received any ballot paper as aforesaid shall mark a vote on such ballot paper in the manner hereinbefore provided without leaving the room set apart for the election and shall forthwith deposit the same in a ballot-box provided for the purpose by the Secretaries, and shall thereupon retire from the said room.

Scrutineers' report

14. At the close of any ballot the scrutineers shall proceed to count the votes recorded for each candidate, and shall with the least possible delay, report the result of such ballot to the President, in the manner hereinafter provided.

List to be prepared

15. In reporting the result of any ballot the scrutineers shall, in all cases, prepare and certify a list containing the names of the candidates and the number of votes recorded for every candidate.

Equality of votes

16.[15] Where at any election two or more candidates have received an equal number of votes the scrutineers shall report the result to the President, who shall thereupon give a casting vote.

Confirmation of certain elections

16A.[16] (a) In this rule, "identified candidate" means a candidate in relation to whom Information in the National Register has been included pursuant to rule 6(a1)(ii) in the list of candidates.

(b) If in any election the number of candidates who are not identified candidates is less that the number of positions to be filled, the President may not declare an identified candidate to be elected under rule 7, and the election of any identified candidate shall not be complete, until the election of each such identified candidate has been confirmed by a majority of voters in a secret ballot conducted for the purpose.

Announcement of result

17.[17] As soon as practicable after receipt of the report of the result of any ballot, the President shall announce the names of the elected candidates to the Synod, and shall thereupon cause to be delivered to the Secretaries such report, together with the list hereinbefore mentioned and the Secretaries shall file and keep such list in the records of the Synod. The list referred to in Rule 15 shall be displayed in the Synod meeting room during the remainder of the session of the Synod and published with the Proceedings of Synod.

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14 Amended by Rule 1, 2014.
15 Amended by Rule 1, 2014.
16 Added by Rule 1, 2014.
17 Amended by Rule 5, 2010.

Custody and disposal of ballot papers

18. (a) After every election, the Scrutineers shall deliver to the Secretaries all ballot papers used at any election (including all those ballot papers which have been rejected), and the Secretaries shall as soon as practicable place in separate sealed packets all such ballot papers, and shall safely keep the same in their custody until required by "**The Committee of Elections and Qualifications**", or until they are destroyed as hereinafter provided.

(b) If the ballot papers be not applied for or required by "**The Committee of Elections and Qualifications**" within fourteen days following the day of the holding of any election, the Secretaries shall then forthwith cause all packets containing all used and rejected ballot papers to be destroyed by fire, without the said packets being unsealed.

Continuance in office until election of successors

19. Where any election directed by any canon or resolution of the Synod to be held has not been so held the persons who at the time being are holding such office shall continue to hold the same until their successors shall have been appointed.

Certain vacancies to be filled by the Standing Committee

20.[18] Where the number of persons declared by the President duly elected to any office under rule 7 hereof is less than the number required for such office or where the election of any person is reported under the next succeeding rule as invalid any vacancy or vacancies remaining shall be filled by the Standing Committee at its first meeting following the session of Synod at which such declaration of election or report of validity of election was made. Where there are more nominations than vacancies for an election to be filled by the Standing Committee, then the names of all candidates and the number of votes recorded for each candidate shall be reported to the next session of the Synod in the Standing Committee Report.

Validity of elections

21. All matters affecting the validity of any election held or of any vote taken under these rules shall be referred to "The Committee of Elections and Qualifications" appointed under Standing Order No. 7. The committee shall report thereon to Synod if it is in session and if not to the Standing Committee.

Provided that no question as to the validity of any election or of any vote taken shall be raised unless so raised within seven days of the holding of such election or of the declaration of the result thereof.

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[18] Amended by Rule 5, 2010.

SCHEDULE[19]

Election for .....

.....Bishops to be elected.

.....Clerks in Holy Orders to be elected.

.....Laity to be elected.

Instructions to voters

The voter:

(a) is to mark a cross against the name of each candidate for whom he or she desires to vote, and

(b) Must vote for not more than the number of candidates required to be elected.

List of candidates

Mark cross here	Names printed in alphabetical order of Surname

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[19] Amended by Rule 1, 2014.

IV. RULES FOR ELECTIONS UNDER SECTION 22 OF THE CONSTITUTION

1. Each house shall meet separately for the purpose of electing its officers and by resolution may determine what officers other than a chairman shall be elected.

2. Any two members of a house may in writing nominate any other member as chairman.

3. Nominations shall be handed to the chairman of the meeting. If more than one person is nominated for the office he shall cause the names of such persons to be made into a list alphabetically arranged in the form of a ballot paper to be handed to each member present and shall appoint two members of the house to act as scrutineers.

4. Every member voting shall mark with a cross the name of one person for whom he votes. The chairman of the meeting shall have a casting but not a deliberative vote. The person who obtains an absolute majority shall be declared elected to the office.

5. If no person should obtain an absolute majority the names of the two persons who obtain the largest number of votes shall then be re-submitted to a vote, which may be taken by a show of hands or by ballot as the house may determine.

6. If on the final ballot or vote two persons should obtain an equal number of votes the chairman of the meeting shall have a casting vote.

7. The person so elected as chairman shall then take the chair and proceed with the election of the other officers required by the house in the order determined by him. Nominations shall be made, ballot papers shall be arranged, the first ballot shall be taken and any subsequent voting shall be made and conducted in like manner as on the election of Chairman.

V. RULE RE STATEMENT MADE UNDER SECTION 4 OF THE CONSTITUTION

1. A statement of the Church as to faith ritual ceremonial or discipline shall be made only after it has been considered by Synod and is passed as a resolution or is contained in a canon of such Synod. The following procedural steps in relation to a proposed resolution shall be taken:

   (i) The proposed statement shall, three calendar months before the first day of the session of Synod, be lodged in print or typescript in the Registry of the Primate; within fourteen days thereafter the Primate shall cause a number of copies thereof to be posted to each diocesan bishop sufficient to enable him to send a copy to each of the clerical and lay members of Synod representing his diocese.

   (ii) When the resolution is before the Synod it may appoint a select committee to examine and report upon it and fix the time for the report to be lodged with the Primate.

   (iii) Upon resumption of the consideration of the statement the report shall be laid upon the table and at the discretion of the Primate may be printed or otherwise copied and circulated to members of Synod.

   (iv) If such a statement is made by resolution a copy of the resolution certified by the secretaries of Synod shall be lodged in the Registry of the Primate and a copy so certified shall be sent by certified mail to the registry of each diocesan bishop and shall be otherwise published as Synod may direct.

VI. RULE RE DEVIATIONS UNDER SECTION 4 OF THE CONSTITUTION

1. A request submitted by the incumbent and churchwardens of a parish to the bishop of the diocese for permission to make a deviation or deviations from the existing Order of Service not contravening any principle of doctrine or worship of this Church shall be in writing signed by the incumbent and churchwardens.

2. Such request shall be accompanied by a certificate signed by the incumbent and churchwardens that the requirements of the last proviso of section 4 of the Constitution beginning with the words "**Provided also**" have been complied with and such request and certificate shall be in or to the effect of the following form:

A request for permission to make a deviation or deviations from the existing Order of Service.

To the Most Reverend ..... Archbishop of ..... or the Right Reverend ..... Bishop of ..... (as the case may be);

We the Incumbent and Churchwardens of the Church of ..... in the Parish of ..... do certify that a meeting of parishioners was duly convened by writing placed in a prominent position at each entrance to the said Church and by an announcement at the morning and evening services (or service as the case may be) in the said Church on two Sundays namely the ..... days of ..... being not less than two Sundays before such meeting stating that a meeting would be held at ..... o'clock on the ..... day of ..... at ..... and giving full particulars of the nature of the proposed deviation or deviations (as the case may be) from the existing Order of Service and that the said meeting was duly held and that the said deviations hereto annexed and signed by us for the purpose of identification were assented to by a majority of the said parishioners then present and voting.

Dated the ..... day of .....

Incumbent Churchwardens

We, therefore, the Incumbent and Churchwardens of the Church of ..... in the Parish of ..... do request Your Grace or Your Lordship (as the case may be) by virtue of the authority committed to you by section 4 of the Constitution of the Church of England in Australia to permit the deviation or deviations (as the case may be) hereto annexed and signed by us for the purpose of identification from the existing Order of Service.

Dated the ..... day of .....

Incumbent Churchwardens

3. The bishop may at his discretion permit the deviation or deviations (as the case may be) annexed to the certificate and request aforesaid provided no deviation thus permitted contravenes any principle of doctrine or worship of this Church.

VIII. RULE RE PETITION UNDER SECTION 28(2) OF THE CONSTITUTION

1. A petition under section 28 (2) of the Constitution shall be typed in triplicate on foolscap size paper and shall be in the form 1 set out in the schedule of forms hereunder.

Form 1

PETITION TO THE PRESIDENT

The bill entitled .....

We, the undersigned, being in all twenty-five or more of the members of Synod petition that the bill entitled .....should be treated as a special bill under S.28 of the Constitution.

Dated this..... day of ..... A.D.

Signed ..... Member of the House of .....

IX. PROCEDURE TO BE FOLLOWED UNDER SECTION 28(3)(ii) AND (iii) OF THE CONSTITUTION[1]

1. As soon as possible after a canon has been provisionally made, the General Secretary shall forward a copy of the Provisional Canon together with a copy of a certificate in the form of the Schedule to the bishop of each diocese.

2. The bishop of a diocese shall endeavour to ensure that the synod of the diocese considers whether to assent to or dissent from the Provisional Canon as soon as practicable after the copy of the Provisional Canon is received by the bishop.

3. When the synod of a diocese has assented to or dissented from the Provisional Canon the bishop or the registrar or the secretary of the diocese shall forthwith notify the General Secretary in the form of a certificate set out in the Schedule.

4. A declaration under section 28(3)(iii) of the Constitution shall be made by the President in writing under his hand and shall be filed in the Registry of the Primate.

5. Such declaration shall state the date upon which the General Secretary received the assent of the diocesan synod last to assent and in the said declaration the President shall declare the date on and from which the canon shall come into force.

6. The canon and the declaration shall be recorded in the Register of Canons in the said Registry and the Primate shall cause a notice to be posted to the secretaries of synod and the bishops of all dioceses stating that the declaration has been made and that the canon will come into force on the day so declared.

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[1] Repealed by Rule 5, 1995 and new Rule IX substituted.

THE SCHEDULE

Certificate of assent to/dissent from a Provisional Canon of General Synod

[Short title and number of provisional canon]

To: The General Secretary

General Synod

I CERTIFY that on the day of the synod of this diocese *assented to/dissented from the above provisional canon. A copy of the report and recommendations (if any) of the synod is attached.

Signed: .....

* **Bishop/Registrar/Diocesan Secretary**

Diocese: .....

Date: .....

* Delete whichever is inapplicable

Note:

1. The assent to or dissent from a provisional canon need only be by resolution of the synod.

2. If the provisional canon is assented to by the synod of a diocese it does not come into force in that diocese by virtue of such assent. It can only do so if it becomes a canon of General Synod and (in most cases) if the synod of the diocese then adopts it by ordinance.

3. If the synod dissents from the provisional canon it should submit a report as to the reasons why the provisional canon was not assented to together with any recommendations it may wish to make concerning the canon.

4. If a synod defers consideration of a provisional canon or assents to it with a comment, the General Secretary should be so informed together with a copy of any relevant ordinance or resolution.

XII. RULE RE DECLARATION UNDER SECTION 30 PROVISO (b) OF THE CONSTITUTION

1. A declaration under section 30 Proviso (b) of the Constitution may be made by resolution.

2. Such resolution shall be in the following form:

   This Synod declares that the provisions of the canon entitled ..... affect the order and good government of the church within or the church trust property of (as the case may be) each diocese or the diocese of..... (as the case may be) and such canon shall not come into force in any diocese unless and until the diocese by ordinance adopts the said canon.

XIII. RULE RE DECLARATION UNDER SECTION 30 PROVISO (c) OF THE CONSTITUTION

1. A declaration under Section 30 Proviso (c) of the Constitution shall be in or to the effect of the following form:

   The Synod of the Diocese of ..... (or the Diocesan Council of the Diocese of .....) is of opinion that the provisions of the canon entitled ..... made by the General Synod at the session held in the year ..... do affect the order and good government of the Church in or the church trust property of (as the case may be) the Diocese.

2. The notification to the President under the said proviso shall set out the said declaration and state the date on which it was made and further state that the said canon has not been adopted by an ordinance of the synod or, alternatively, that the said canon was adopted by an ordinance of Synod, namely (stating the title and date thereof) but was subsequently excluded by an ordinance, namely (stating the title and date thereof).

3. If the Standing Committee should advise the President that it agrees with the opinion of such diocesan synod or diocesan council the President shall forthwith notify the Bishop of the Diocese that the said canon is not in force and shall be deemed not to have come into force in the diocese concerned or that the operation of the canon in such diocese ceased on the date of the declaration of the diocesan synod or diocesan council as the case may be.

4. The President shall forthwith notify each other diocese that the canon did not come into force or ceased to be in force as the case may be in such diocese.

5. If the President refers the question raised by the said declaration of opinion to the Appellate Tribunal the form of the question so referred shall be as follows:

   Does the canon entitled ..... affect the order and good government of the church within or the church trust property of the Diocese of

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XV. RULES UNDER SECTION 32 OF THE CONSTITUTION

1.[1] Subject to this rule, the Standing Committee shall estimate, in respect of each calendar year, the amounts of the costs, charges and expenses expected to be incurred in that year in, or in connection with, matters referred to in paragraphs (a), (b1), (c), (e) and (f) of sub-section 32(2) of the Constitution.

2.[2] The estimate made by the Standing Committee under rule 1 in respect of a calendar year next following an ordinary session of synod shall not exceed in the aggregate the estimate of the costs, charges and expenses for that year in, or in connection with, those matters approved by the Synod at that session of Synod.

3.[3] The Standing Committee shall estimate the amounts of the costs, charges and expenses expected to be incurred in, or in connection with, the holding of each ordinary session of Synod and the conduct of its business.

3A.[4] The aggregate of the amounts estimated in accordance with rule 1 in respect of a calendar year shall be increased by:

(a) the aggregate of the amounts estimated in accordance with rule 3; or

(b) a proportion, determined by the Standing Committee, of the aggregate of the amounts estimated in accordance with rule 3;

as the Standing Committee determines in respect of that year.

3B.[5] The Standing Committee may, from time to time, revise the estimate made in accordance with rule 3 and, if it does so, may revise the determination made by it under rule 3A in respect of a calendar year other than a calendar year in respect of which levies have already been made on the dioceses under rule 15.

3C.[6] (1) Where:

(i) the aggregate of the costs, charges and expenses incurred in a calendar year in, or in connection with, matters referred to in paragraphs (a), (b1), (c), (e) and (f) of sub-section 32(2) of the Constitution (excluding expenses to which rule 12 relates) exceeds the estimate of the aggregate of those costs, charges and expenses in respect of that year; or

(ii) the aggregate of costs, charges and expenses incurred in, or in connection with, the holding of an ordinary session of synod exceed the estimate, or revised estimate, as the case may be, of the aggregate of those costs, charges and expenses;

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1 Substituted by Rule 2, 1989.
2 Substituted by Rule 2, 1989.
3 Substituted by Rule 2, 1989.
4 Added by Rule 2, 1989.
5 Added by Rule 2, 1989.
6 Added by Rule 2, 1989.

the Standing Committee may determine that the aggregate of the amounts estimated in accordance with rule 1 in respect of a calendar year be increased, or further increased, by:

(a) the amount of the excess; or

(b) a proportion, determined by the Standing Committee, of the amount of the excess.

(2) In respect of a calendar year next following an ordinary session of synod, if, but only if, the aggregate of the estimate of costs, charges and expenses for that year approved by synod at that session of synod in or in connection with, matters referred to in paragraphs (a), (b1), (c) and (e) of subsection 32(2) of the Constitution exceeds the aggregate of the estimate of the costs, charges and expenses expected to be incurred in that year in, or in connection with, matters so referred to made under rule 1, Standing Committee may determine, under sub-rule (1) of this rule, an increase, not exceeding the amount of that excess, in respect of costs, charges and expenses incurred in another year in, or in connection with, matters so referred to.

3D.[7] (1) The aggregate of the amounts, estimated in accordance with rule 1 in respect of a calendar year increased to the extent (if any) provided in rules 3A and 3C, shall be divided by the number of elected and appointed members of Synod who were entitled to attend the ordinary session of the Synod immediately preceding the time when the quotas for the dioceses are to be ascertained (other than the members so entitled to attend as representatives of missionary dioceses).

(2) The quotient so obtained shall be multiplied by the respective numbers of elected and appointed members who were entitled to represent each diocese at that ordinary session of the Synod (other than a missionary diocese) and the amount so obtained in respect of a diocese is the quota for the diocese in respect of that calendar year.

4. Within sixty days after the close of any session of the Synod the registrar or other official of each diocese may forward to the Secretary of the Standing Committee of the Synod a detailed statement of the amount payable on behalf of the members of such dioceses attending the session. The Standing Committee may reject any claims (a) not made within the prescribed period, or (b) not, in its opinion, provided for under these rules.

5. When the Standing Committee shall have received all the quotas hereinbefore mentioned it shall forward to the registrar or other official of each diocese the sum approved on behalf of the members of each diocese including the missionary dioceses, and his receipt shall be a sufficient discharge of the obligations of the Standing Committee. The Standing Committee shall not consider nor be responsible for any claims by individual members of the Synod.

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7 Added by Rule 2, 1989; amended by Rule 4, 1992.

Interpretations

6. In these Rules:

"**Cost of fares**" means the actual sum paid by any member of Synod, for the purpose of attending a session of the Synod, in the purchase of tickets permitting him to travel by air, rail, boat or coach between his accustomed abode and the city in which session of the Synod is held and shall include the expenses of transport for such purpose incurred by a member who travels by any other means not exceeding an amount a sum approved by the Standing Committee and being not greater than that which might have been incurred in travel by air, rail, boat or coach.

"**Members attending the Session**" means a member of the Synod who has attended upon not less than half the days during which the Session has been held unless his absence be due to urgent causes approved by the Standing Committee.

6A.[8] For the purposes of these Rules:

(a) the number of elected and appointed members of the Synod entitled to attend a session of the Synod; and

(b) the number of elected and appointed members of the Synod entitled to represent a diocese at a session of the Synod;

must be ascertained according to the certificates referred to in subsection 17(7) of the Constitution that had been received by the Primate before the commencement of that session.

7. The Registry of the Primate shall be located at Sydney or at such other see City as the Primate with the concurrence of the Standing Committee, shall from time to time determine, and the Standing Committee is hereby empowered to make all necessary and suitable arrangements for the maintenance of the said Registry.[9]

8. The Standing Committee is hereby authorised to pay to the Primate such travelling expenses as may be reasonably incurred by him in the performance of his duties as Primate.

9.[10] [deleted]

10.[11] The Standing Committee is hereby authorised to estimate the costs and expenses of sittings of the Appellate Tribunal and in relation to such costs and expenses as are attributable to sittings for the purpose of determining any appeal question or matter made or referred to it and not otherwise provided for under canon of Synod or by direction of the Appellate Tribunal and recovered thereunder to apportion the same in the manner provided in Rule 3D.

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8 Added by Rule 4, 1992.
9 Amended by Rule 3, 1966.
10 Repealed by Rule 2, 1989.
11 Amended by Rule 2, 1989.

11.[12] The Standing Committee is hereby authorised to estimate the costs and expenses of any sitting of the Special Tribunal in so far as they may not be provided for under canon of Synod or by direction of the said Tribunal and recovered thereunder and to apportion the same in the manner provided by Rule 3D.

12. All expenses incurred by the Corporate Trustees shall be met by those synods, churches, societies, councils, boards, agencies or authorities in the management of whose property or for whose benefit the expenses have been incurred.

13.[13] (1) Where a special session of synod is required to be convened, the Standing Committee shall estimate the amounts of the costs, charges and expenses expected to be incurred in, or in connection with, the holding of that session and the conduct of its business.

(2) The Standing Committee shall apportion among the dioceses the aggregate of the amounts estimated under sub-rule (1) in the manner provided in rule 3D.

(3) Where:

(a) the Standing Committee is of the opinion that the aggregate of the amounts of the costs charges and expenses expected to be incurred in, or in connection with, the holding of a special session of Synod exceeds the aggregate of the amounts levied in respect of that session; or

(b) the aggregate of the amounts of the costs, charges and expenses of, or in connection with, a special session of synod exceeds the aggregate of the amounts levied in respect of that session;

the Standing Committee shall apportion the amount of the excess in the manner provided in rule 3D.

(4) The Standing Committee may determine that a quota for a diocese determined under sub-rule (2) or (3) be payable as a single quota for the purposes of this rule or in proportions determined by Standing Committee over two or more years.

(5) Where Standing Committee determines that a quota be payable over two or more calendar years, the part payable in a year shall be treated as a quota in respect of that year for the purposes of this rule and the first-mentioned quota shall be disregarded.

14.[14] The Standing Committee may, from time to time, revise an estimate made under rule 10 or 11 and, if it increases the amount of the estimate, it shall apportion the amount of the increase in the manner provided in rule 3D.

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12 Amended by Rule 2, 1989.
13 Added by Rule 2, 1989.
14 Added by Rule 2, 1989.

15.[15] Where:

(a) A quota for a diocese (not being a missionary diocese) is ascertained in accordance with rule 3D in relation to the estimate, or an increased estimate, made under rule 1 in respect of a calendar year;

(b) a quota for a diocese (not being a missionary diocese) is ascertained in accordance with rule 3D in respect of an estimate, or an increased estimate, made under rule 10 or 11; or

(c) a quota for a diocese (not being a missionary diocese) is ascertained in accordance with rule 13 in respect of a special session of Synod;

a levy, equal to the amount of the quota, shall be taken to have been imposed on, and is payable by, the diocese concerned.

16.[16] Where a quota for a diocese is ascertained in accordance with rule 13 in respect of a calendar year, the levy in respect of that quota imposed by rule 15 is imposed in respect of that calendar year.

17.[17] Where the aggregate of the amounts levied in respect of costs and expenses referred to in rule 10, 11 or 13 exceeds the amount of the costs and expenses concerned, the Standing Committee may apportion the excess among the dioceses (other than missionary dioceses) in the same proportions as the levies were imposed on those dioceses and apply the amount so apportioned to a diocese to any levies due and payable by that diocese.

18. The amendments of Rule XV made by rules 1 to 5 of these rules apply to and in relation to the calendar year immediately following the calendar year in which these rules are made and in relation to each subsequent calendar year.[18]

19.[19] As soon as possible after the passing by General Synod of a canon to which, in the opinion of the General Secretary, section 32(3) of the Constitution may apply, the General Secretary shall send to the bishop, the registrar or diocesan secretary of each diocese a copy of the canon together with a form of certificate relating to the canon in accordance with the form contained in the Schedule.

20. As soon as possible after the passing by a diocesan synod of an ordinance assenting to a canon referred to in section 19 the bishop, the registrar or diocesan secretary of the diocese shall complete and return to the General Secretary the certificate referred to in section 19.

21. The General Secretary shall record in a Register of Canons of General Synod any notification by the bishop or the registrar or diocesan secretary of a diocese of the passing by the synod of such diocese of an ordinance assenting to a canon referred to in section 19.

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15 Added by Rule 2, 1989.
16 Added by Rule 2, 1989.
17 Added by Rule 2, 1989.
18 Rules 1 - 5 of amending Rule 2, 1989, refer to rules 1 - 3D inclusive, 9 - 11 inclusive, and 13 - 17 inclusive of the consolidated Rule XV above.
19 Paragraphs 19 - 22 added by Rule 6, 1995.

22. Where a canon to which section 19 applies is also a canon to which section 30(a) or (b) of the Constitution applies or may apply the General Secretary may adapt the form of the certificate in the Schedule to refer to both the adoption of and assent to the canon by the synod of a diocese.

23.[20] The Standing Committee shall, in the first instance, discharge the financial obligations of the Episcopal Standards Commission incurred in accordance with any directions or protocol adopted by the Standing Committee.

24. As soon as practicable after advice to the General Secretary that, in accordance with any directions or protocol, the Episcopal Standards Commission has incurred or is likely to incur a financial obligation, the General Secretary shall inform the members of the Executive of Standing Committee of such advice together with the name of the diocese or dioceses that appear to be involved.

25. The Executive shall arrange for consultations with the diocesan council (without its bishop) of such diocese or dioceses as to the equitable sharing of the money necessary to discharge the costs incurred and to be incurred by the Episcopal Standards Commission with respect to the investigation in which it incurred or is likely to incur the aforesaid financial obligations.

26. The Executive shall make a report to the Standing Committee.

27. The Standing Committee shall determine the proportion of the costs referred to in sub-rule 25 that ought to be borne by particular dioceses involved which determination shall constitute an assessment on any such diocese.

28. The Standing Committee shall include in its reporting to the next following ordinary session of General Synod provision for meeting such costs in part by such dioceses and in part pursuant to section 32(2)(b1) of the Constitution.

29.[21] The Standing Committee shall also include in such financial reporting the best estimate of the anticipated costs of the Episcopal Standards Commission for the following triennium.

30. A bishop who has incurred expense in or about the bringing of a charge against a bishop to the Special Tribunal may request the Standing Committee to treat those expenses in the same way as expenses claimed by the Episcopal Standards Commission and the Standing Committee may accede to that request and act accordingly.

31. Notwithstanding anything in sub-rules 10 or 11, the costs of sittings of the Special Tribunal and the Appellate Tribunal may be apportioned in accordance with sub-rule 27.

32. Sub-rules 23 and following shall also apply in respect of actions taken prior to the enactment of the Amendment to this Rule by the General Synod of 2010.

33. Sub-rules 23-33 shall expire on the commencement of the 16th General Synod.

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20 Paragraphs 23 – 28 added by Rule 6, 2010.

21 Paragraphs 29 - 33 added by Rule 6, 2010.

THE SCHEDULE

Certificate of assent to a canon to which section 32(3) of the Constitution applies.

[Short Title and Number of Canon]

To: The General Secretary

General Synod

I CERTIFY that on the day of the synod of this diocese assented by Ordinance to the above Canon.

Signed: .....

Bishop/Registrar/Diocesan Secretary

Diocese: .....

Date: .....

XVI. RULES RELATING TO CHARGES AGAINST A CLERK

(Section 54 of the Constitution)

1. The appointment by the bishop of a diocese of a person to promote a charge against any person licensed by the bishop or clerk in holy orders resident in the diocese under section 54(3) of the Constitution shall be under seal. A copy of such appointment shall be filed in the registry of the bishop.

2. Any charge against any such person or clerk in holy orders shall be in writing and lodged in the registry of the bishop in triplicate.

3. A reference to a board of enquiry shall be made by endorsement of the bishop to that effect on the written charge and sent by certified mail to the chairman of such board.

4. The Appellate Tribunal shall prescribe the form of an instrument of appeal from the determination of a diocesan tribunal or a provincial tribunal to itself.

5. A provincial tribunal shall prescribe the form of an instrument of appeal from a diocesan tribunal to itself.

XVII. RULE UNDER SECTION 60 OF THE CONSTITUTION

The finding of a tribunal on any charge or offence shall be in writing and any recommendation it may make shall also be in writing signed by the President or member presiding. A copy of any such finding or recommendation shall be deposited in the Registry of the Primate.

XVIII. RULE UNDER SECTION 63 OF THE CONSTITUTION[1]

A decision, determination or opinion of the Appellate Tribunal shall be published by a copy signed by the President or the Deputy President being transmitted to the Primate either in hard copy or electronically. The decision, determination or opinion shall operate from the date of posting unless the Tribunal otherwise determines.

The President or Deputy President shall also, preferably on the same day he or she transmits the decision, determination or opinion to the Primate, send to the General Secretary a copy of the same.

The General Secretary shall ensure that a copy is duly filed in the Primate's Registry and shall also transmit a copy to each Diocesan Bishop to the applicants and any other synod, person, group of persons or association given leave by the Appellate Tribunal to be a party and any other person to whom the Primate directs that a copy be sent.

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1 Amended by Rule 3, 2007.

XIX. RULE RE INTERPRETATION [1]

Section 74 of the Constitution shall apply to the canons the rules and Standing Orders of Synod unless the context or subject matter thereof indicates the contrary.

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[1] This Rule was repealed by Canon 10, 1995 but the repeal does not affect its application to canons made before 1 January 1996.

XX. RULES WITH RESPECT TO ALTERATIONS OF THE CONSTITUTION[1]

1. As soon as possible after the passing by General Synod of a canon to amend the Constitution to which section 67(1)(a)(ii) or (iii), section 67(1)(b) or section 67(1)(c) of the Constitution applies the General Secretary shall send to the registrar or diocesan secretary of each diocese a certified copy of the canon together with a form of certificate relating to the canon in accordance with the form contained in Schedule 1.

2. As soon as possible after the passing by a diocesan synod of an ordinance assenting to a canon referred to in section 1 the bishop or registrar or diocesan secretary of the diocese shall complete and return to the General Secretary of General Synod the certificate referred to in section 1 together with a true copy of the Ordinance of the Synod assenting to the canon.

3. After appointing a date on which the canon shall come into effect in accordance with section 67(2) of the Constitution the President shall make a declaration in writing in one or other of the forms set out in Schedule 2 and such declaration shall be filed in the registry of the Primate.

4. In addition to complying with the requirements of section 67(2) of the Constitution, the President shall forthwith notify in writing each diocesan bishop and the secretaries of General Synod of the making of the declaration.

5. Standing Committee shall report the making of the declaration to synod at its next session.

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1 This Rule was amended by Rule 3, 1981. It was repealed and a new Rule XX substituted by Rule 3, 1992. It was again repealed and a new Rule XX substituted by Rule 7, 1995.

SCHEDULE 1

CERTIFICATE OF ASSENT TO A CANON TO AMEND THE CONSTITUTION

[Short Title and number of Canon]

To: The General Secretary

General Synod

I certify that on the day of the synod of this diocese assented by Ordinance to the above canon and that such assent is still in force. A copy of the Ordinance assenting to this canon is attached.

Signed: .....
Bishop/Registrar/Diocesan Secretary

Diocese: .....

Date: .....

SCHEDULE 2

FORM A

DECLARATION WITH RESPECT TO A CANON TO WHICH
SECTION 67(1)(a)(i) OF THE CONSTITUTION APPLIES

I, ..., President of General Synod and Primate of The Anglican Church of Australia pursuant to section 67(2) of the Constitution and to rules of the General Synod do declare that a bill for a canon entitled ..... was duly passed at the session of General Synod held in the year ..... in accordance with the requirements of section 67(1)(a)(i) of the Constitution and I determine that there is no condition/no condition remaining to which the coming of the canon into effect is subject and I appoint the ..... day of ..... as the date on which the canon shall come into effect and I declare that the Constitution on and from that day will be altered accordingly.

DATED ..... day of .....

SIGNED

President of General Synod

FORM B

DECLARATION WITH RESPECT TO A CANON TO WHICH
SECTION 67(1)(a)(ii) or (iii) or SECTION 67(1)(c)
OF THE CONSTITUTION APPLIES

I, ..., President of General Synod and Primate of The Anglican Church of Australia pursuant to section 67(2) of the Constitution and to rules of the General Synod do declare that a bill for a canon entitled ..... was duly passed at the session of General Synod held in the year ..... and that subsequently at least three-quarters of the diocesan synods of The Anglican Church of Australia including all the metropolitan sees assented to it by ordinance and that all such assents were in force on the .....day of .....and I determine that there is no condition/no condition remaining to which the coming of the canon into effect is subject and I appoint the ..... day of ..... as the date on which the canon shall come into effect and I declare that the Constitution on and from that day will be altered accordingly.

DATED ..... day of .....

SIGNED

President of General Synod

FORM C

DECLARATION WITH RESPECT TO A CANON TO WHICH
SECTION 67(1)(b) OF THE CONSTITUTION APPLIES

I, ..., President of General Synod and Primate of The Anglican Church of Australia pursuant to section 67(2) of the Constitution and to rules of the General Synod do declare that a bill for a canon entitled ..... was duly passed at the session of General Synod held in the year ..... and that subsequently every diocesan synod of the said church assented to it by ordinance and that all such assents were in force on the ..... day of ..... and I determine that there is no condition/no condition remaining to which the coming of the canon into effect is subject and I appoint the ..... day of ..... as the date on which the canon shall come into effect and I declare that the Constitution on and from that day will be altered accordingly.

DATED this..... day of .....

SIGNED

President of General Synod

XXI. RULE WITH RESPECT TO ADOPTION OF GENERAL SYNOD CANONS [1]

1. As soon as possible after the passing by General Synod of a canon to which in the opinion of the General Secretary section 30(a) of the Constitution may apply or to which section 30(b) of the Constitution applies the General Secretary of General Synod shall send to the registrar or diocesan secretary of each diocese a certified copy of the canon together with a form of certificate relating to the canon in accordance with the form contained in the Schedule.

2. As soon as possible after the passing by a diocesan synod of an Ordinance adopting a canon referred to in section 1 the bishop or the registrar or diocesan secretary of the diocese shall complete and return to the General Secretary the certificate referred to in section 1.

3. The General Secretary of General Synod shall record in a Register of Canons of General Synod any notification by the bishop the registrar or diocesan secretary of a diocese of the passing by the synod of such diocese of an Ordinance adopting a canon referred to in section 1 and of an Ordinance excluding such canon from operation in the diocese.

4. Within six calendar months of the passing of this Rule the General Secretary of General Synod shall send to the bishop, the registrar or diocesan secretary of each diocese a form of certificate in accordance with the form contained in the Schedule or some adaptation thereof (which may be a composite form) in relation to every canon of General Synod passed prior to 1995 to which, in the opinion of the General Secretary, section 30(a) of the Constitution may apply or to which section 30(b) applies.

5. Within six calendar months of the receipt by the registrar or diocesan secretary of a diocese of the certificate referred to in section 4 the registrar or diocesan secretary shall complete and return to the General Secretary of General Synod the certificates referred to in section 4.

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1 Made by Rule 8, 1995.

SCHEDULE

CERTIFICATE OF ADOPTION BY ORDINANCE OF A CANON
OF GENERAL SYNOD

[Short title and Number of Canon]

TO: The General Secretary
General Synod

I CERTIFY that on the day of the synod of this diocese adopted by Ordinance the above Canon.

Signed: .....

Bishop/Registrar/Diocesan Secretary

Diocese: .....

Date: .....

XXII. RULE WITH RESPECT TO INDIGENOUS MEMBERS OF THE HOUSE OF BISHOPS [1]

The Indigenous members of the House of Bishops under Section 17(8)(a)(i) of the Constitution shall be known by the titles "**National Aboriginal Bishop**" and "**National Torres Strait Islander Bishop**".

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[1] Made by Rule 2, 2001.

XXIII. RULE UNDER SECTION 1(c) ADMISSION TO HOLY COMMUNION CANON 1973 [1]

General Synod makes the following Rule under section 1(c) of the *Admission to Holy Communion Canon 1973*:

The following class of persons is authorised, pursuant to paragraph (c) of section 1 of the *Admission to Holy Communion Canon 1973* to be admitted to the Holy Communion in this Church:

> Baptised persons who are members of the Lutheran Church of Australia and who are eligible to receive Holy Communion in that Church.

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[1] Made by Rule 2, 2004.

XXIV. RULE RELATING TO ADMINISTRATIVE SERVICES OF THE GENERAL SYNOD [1]

Definitions

1. In this Rule, unless the context otherwise requires, the expressions "**the Corporation**" and "**General Synod property**" have the same meaning as they have from time to time in the Trust Corporation Canon 2010.

Holding of General Synod Property

2. All General Synod property shall henceforth become and remain vested in the Corporation.

Contracts on behalf of General Synod and Standing Committee

3. Any contract entered into by or on behalf of the General Synod shall be entered into and administered on behalf of the General Synod by the Corporation.

Documents under seal

4. Any document affecting General Synod Property or the affairs of the General Synod required to be under seal shall be under the seal of the Corporation.

Authorised Persons

5. The Standing Committee may at any time and from time to time authorise any person, persons, or body and subject to such conditions (if any) as it may determine –

   (a) To enter into contracts on behalf of and for the purposes of the General Synod;

   (b) To invest General Synod property consisting of funds and to redeem and transpose such investments;

   (c) To expend monies on behalf of and for the purposes of the General Synod or any unincorporated body constituted by or under any Canon or Rule;

   (d) To act on behalf of the General Synod or the Standing Committee in respect of any particular affairs of the General Synod or of any General Synod property.

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[1] Made by Rule 7, 2010.

PART 4

TABLES

APPENDIX A

TABLE OF CANONS, BILLS AND PROVISIONAL CANONS 1962-2026

CANONS, BILLS AND PROVISIONAL CANONS 1962 - 2026

The symbol • indicates legislation which is printed in this volume, with any amendments incorporated.

*The symbol ♦ indicates legislation which is **not in effect** but is printed in this volume.*

No.	Title	Notes
Canon 1, 1962	Canon Electing the First Primate 1962	
Canon 2, 1962	Corporate Trustees Canon 1962	**Amended** by Canon 5, 2004 **Repealed** by Canon 6, 2010
Canon 3, 1962	Special Tribunal Canon and the Board of Assessors 1962	**Repealed** by Canon 15, 2001
Canon 4, 1962 •	Offences Canon 1962	**Amended** by Canon 7, 1981 **Amended** by Canon 12, 1992 **Amended** by Canon 20, 1998 **Amended** by Canon 5, 2007 **Amended** by Canon 7, 2017 **Amended** by Canon 11, 2022 **Amended** by Canon 7, 2026 **Amended** by Canon 8, 2026
Canon 5, 1962 •	Board of Assessors (Appellate Tribunal) Canon 1962	
Canon 6, 1962 •	Appellate Tribunal Procedure Canon 1962 – *formerly* Tribunals Procedure Canon 1962	**Amended** by Canon 12, 1992
Canon 7, 1962	Australian College of Theology Canon 1962	**Repealed** by Canon 15, 1966
Canon 8, 1962	Appellate Tribunal Canon 1962	**Repealed** by Canon 12, 1981
Canon 9, 1962	General Board of Religious Education Canon 1962	**Amended** by Canon 5, 1969 **Amended** by Canon 2, 1973 **Amended** by Canon 1, 1989 **Repealed** by Canon 3, 2001
Canon 10, 1962	Australian Clergy Provident Fund Canon 1962	**Rendered of no effect** by Canon 11, 1973
Canon 1, 1966	Canon electing the second Primate 1966	
Canon 2, 1966	Canon to provide for the election of Primate 1966	**Amended** by Canon 5, 1973 **Repealed** by Canon 15, 1985
Canon 3, 1966 •	Consecration of Bishops Canon 1966	**Amended** by Canon 6, 1969
Canon 4, 1966 •	The Assistant Bishops Canon 1966	

No.	Title	Notes
Canon 5, 1966	The New Guinea Diocesan Council Constitution Canon of 1966	**Ceased to have effect** – Canon 1, 1969
Canon 6, 1966	The Diocese of the Northern Territory Formation Canon of 1966	
Canon 7, 1966	The Diocese of the Northern Territory Diocesan Council Canon 1966	**Amended** by Canon 2, 1969 **Amended** by Canon 4, 1977
Canon 8, 1966	Missionary and Ecumenical Council Canon 1966	**Repealed** by Canon 11, 1985
Canon 9, 1966 •	Confirmation of Bishops of Extra-Provincial Dioceses Canon 1966	
Canon 10, 1966	Long Service Leave Canon 1966	**Amended** by Canon 3, 1969 **Amended** by Canon 8, 1973 **Amended** by Canon 2, 1977 **Amended** by Canon 9, 1985 **Amended** by Canon 2, 1987 **Repealed** by Canon 8, 1992
Canon 11, 1966	Canon ratifying the surrender of territory by the Diocese of Adelaide to the Diocese of Willochra 1966	
Canon 12, 1966	Canon ratifying an alteration to the Constitution of the Province of Victoria 1966	
Canon 13, 1966	Australian Board of Missions Canon 1966	**Amended** by Canon 4, 1969 **Amended** by Canon 1, 1973 **Amended** by Canon 13, 1985 **Repealed** by Canon 8, 1995
Canon 14, 1966 •	See Finance and Information Canon 1966	
Canon 15, 1966	Australian College of Theology Canon 1966	**Repeals** Canon 7, 1962 **Amended** by Canon 9, 1973 **Amended** by Canon 16, 1981 **Amended** by Canon 16, 1992 **Amended** by Canon 1, 1995 **Amended** by Canon 9, 2004 **Repealed** by Canon 7, 2007
Canon 16, 1966 •	The Anglican Church of Australia Canon 1966	**Effective** 24 August 1981
Canon 17, 1966	Armed Services Board Canon 1966	**Repealed** by Canon 20, 1985
Canon 1, 1969	The Diocesan Synod of Papua and New Guinea Canon of 1969	**Causes** Canon 5, 1966 to have no effect

No.	Title	Notes
Canon 2, 1969	Canon Constituting the Synod of the Diocese of the Northern Territory 1969	**Amends** Canon 7, 1966
Canon 3, 1969	Long Service Leave Canon Amendment Canon 1969	**Amends** Canon 10, 1966
Canon 4, 1969	Australian Board of Missions Canon Amendment Canon 1969	**Amends** Canon 13, 1966
Canon 5, 1969	General Board of Religious Education Canon Amendment Canon 1969	**Amends** Canon 9, 1962
Canon 6, 1969	Consecration of Bishops Canon Amendment Canon 1969	**Amends** Canon 3, 1966
Canon 7, 1969 •	Order of Deaconesses Canon 1969	
Canon 8, 1969	General Synod Commissions Canon 1969	**Amended** by Canon 13, 1973 **Amended** by Canon 1, 1981 **Amended** by Canon 11, 1985 **Amended** by Canon 7, 1989 **Amended** by Canon 5, 1992 **Repealed** by Canon 19, 1998
Canon 9, 1969	The Diocese of the Murray Formation Canon of 1969	
Canon 1, 1973	Australian Board of Missions Amending Canon 1973	**Amends** Canon 13, 1966
Canon 2, 1973	General Board of Religious Education Canon Amendment Canon 1973	**Amends** Canon 9, 1962
Canon 3, 1973	Province of South Australia Formation Canon of 1973	
Canon 4, 1973	Ratification of the Surrender of Territory by the Diocese of Kalgoorlie to the Diocese of Perth Canon 1973	
Canon 5, 1973	Canon to provide for the election of Primate (Amendment) Canon 1973	**Amends** Canon 2, 1966
Canon 6, 1973	Alteration of the Constitution of the Province of Queensland Canon 1973	
Canon 7, 1973	Form of Declaration and Assent Canon 1973	**Repealed** by Canon 15, 1998
Canon 8, 1973	Long Service Leave (Amendment) Canon 1973	**Amends** Canon 10, 1966
Canon 9, 1973	Australian College of Theology Canon (Amendment) Canon 1973	**Amends** Canon 15, 1966

No.	Title	Notes
Canon 10, 1973 •	General Synod Diocesan Boundary Ratification Canon 1973	
Canon 11, 1973	Australian Clergy Provident Fund Canon 1973	**Renders** of no effect Canon 10, 1962 **Amended** by Canon 5, 1977 **Repealed** by Canon 14, 1985
Canon 12, 1973	Lay Assistants at Holy Communion Canon 1973	**Affected** by Canon 17, 1992
Canon 13, 1973	General Synod Commissions (Amendment) Canon 1973	**Amends** Canon 8, 1969
Canon 14, 1973 •	Admission to Holy Communion Canon 1973	
Provisional Canon 1973	Marriage of Divorced Persons Canon 1973	**Provisional** Ruled invalid
Canon 1, 1977 •	Australian Prayer Book Canon 1977	
Canon 2, 1977	Long Service Leave (Amendment) Canon 1977	**Amends** Canon 10, 1966
Canon 3, 1977	The Use of the Surplice Canon 1977	**Repealed** by Canon 19, 1995
Canon 4, 1977 •	Missionary Dioceses Canon 1977	**Amends** Canon 7, 1966 **Amended** by Canon 10, 1985 **Amended** by Canon 11, 1995 **Amended** by Canon 22, 2017
Canon 5, 1977	Australian Clergy Provident Fund (Amendment) Canon 1977	**Amends** Canon 11, 1973
Canon 6, 1977	Godparents Canon 1977	**Repealed** by Canon 21, 1998
Canon 7, 1977	Alteration of the Constitution of the Province of Western Australia Canon 1977	
Canon 1, 1981	General Synod Commissions (Amendment) Canon 1981	**Amends** Canon 8, 1969
Canon 2, 1981	The National Superannuation and Retirement Council Canon 1981	**Repealed** by Canon 7, 1998
Canon 3, 1981 •	Solemnization of Matrimony Canon 1981	
Canon 4(P), 1981	Reception Canon 1981	**Provisional** *See* Canon 1, 1985
Canon 5, 1981 •	Ministry to the Sick Canon 1981	
Canon 6, 1981	Alteration of the Constitution of the Province of South Australia Canon 1981	
Canon 7, 1981	Offences Amendment Canon 1981	**Amends** Canon 4, 1962

No.	Title	Notes
Canon 8, 1981	Diocese of Sydney (Norfolk Island) Canon 1981	
Canon 9, 1981	Alteration of the Constitution of the Province of Queensland Canon 1981	
Canon 10, 1981	Province of Victoria (Constitution Alteration) Canon 1981	
Canon 11, 1981	Australian Clergy Provident Fund (Amendment) Canon 1981	
Canon 12, 1981 •	Appellate Tribunal Canon 1981	**Repeals** Canon 8, 1962 **Amended** by Canon 17, 1981 **Amended** by Canon 1, 1992 **Amended** by Canon 3, 1998 **Amended** by Canon 5, 2010 **Amended** by Canon 1, 2017 **Amended** by Canon 3, 2017
Canon 13(P), 1981	Marriage of Divorced Persons Canon 1981	**Provisional** *See* Canon 7, 1985
Canon 14(P), 1981	Canon for the admission of Children to Holy Communion	**Provisional** *See* Canon 6, 1985
Canon 15, 1981 •	Matrimony (Prohibited Relationships) Canon 1981	
Canon 16, 1981	Australian College of Theology (Amendment) Canon 1981	**Amends** Canon 15, 1966
Canon 17, 1981	Appellate Tribunal (Amendment) Canon 1981	**Amends** Canon 12, 1981
Bill 1, 1981 ♦	Bill to alter the Constitution of The Anglican Church of Australia with respect to the ordination of women	**Not in effect**
Bill 2, 1981 ♦	Bill to alter the Constitution of the Anglican Church of Australia with respect to the mode of appointment of the Appellate Tribunal	**Not in effect** *See* Canon 1, 1987 and Bill 1, 1987
Canon 1, 1985 •	Reception Canon 1981	*See* Canon 4(P), 1981 **Amended** by Canon 14, 1995
Canon 2, 1985	Province of Western Australia (Constitution Amendment and Consolidation) Canon 1985	
Canon 3, 1985	NSW Provincial Constitution Canon 1985	
Canon 4, 1985	NSW Diocesan Constitutions Canon 1985	
Canon 5, 1985	Alteration of the Constitution of the Province of Queensland Canon 1985	

No.	Title	Notes
Canon 6, 1985 •	Canon for the admission of Children to Holy Communion 1981	*See* Canon 14(P), 1981
Canon 7, 1985 •	Marriage of Divorced Persons Canon 1981	*See* Canon 13(P), 1981
Canon 8, 1985 •	National Home Mission Fund Canon 1985	
Canon 9, 1985	Long Service Leave Canon (Amendment) Canon 1985	**Amends** Canon 10, 1966
Canon 10, 1985	Missionary Dioceses Canon 1977 Amendment Canon 1985	**Amends** Canon 4, 1977
Canon 11, 1985	General Synod Commissions Amendment Canon 1985	**Repeals** Canon 8, 1966 **Amends** Canon 8, 1969
Canon 12, 1985	Constitution Alteration (Definition of 'Member') Canon 1985	**Effective** 1 July 1988 *See* Bill 1, 1985
Canon 13, 1985	Australian Board of Missions Amendment Canon 1985	**Amends** Canon 13, 1966
Canon 14, 1985	Australian Clergy Provident Fund Canon 1985	**Repeals** Canon 11, 1973 **Repealed** by Canon 4, 1989
Canon 15, 1985 •	Primate Canon, 1985	**Repeals** Canon 2, 1966 **Amended** by Canon 2, 1992 **Amended** by Canon 7, 2001 **Amended** by Canon 8, 2004 **Amended** by Canon 1, 2007 **Amended** by Canon 10, 2014 **Amended** by Canon 1, 2026
Canon 16, 1985 •	Ordination Service for Deacons Canon 1985	
Canon 17, 1985 •	Alternative Tables of Lessons Canon 1985	**Amended** by Canon 15, 1992
Canon 18, 1985 •	Ordination of Women to the Office of Deacon Canon 1985	
Canon 19, 1985 •	Defence Force Ministry Canon 1985	**Amended** by Canon 6, 2001 **Amended** by Canon 4, 2022 **Amended** by Canon 10, 2026
Canon 20, 1985 •	Defence Force Board Canon 1985	**Repeals** Canon 17, 1966 **Amended** by Canon 2, 1995 **Amended** by Canon 4, 1998 **Amended** by Canon 6, 2001
Canon 21, 1985	National Anglican Centre Canon 1985	**Repealed** by Canon 3, 1992
Canon 22, 1985	Constitution Alteration (Deacons and the Houses of Synod) Canon 1985	**Effective** 1 July 1988 *See* Bill 2, 1985

No.	Title	Notes
Bill 1, 1985	Constitution Alteration (Definition of "Member") Bill 1985	**Effective** 1 July 1988 *See* Canon 12, 1985
Bill 2, 1985	Constitution Alteration (Deacons and the Houses of Synod) Bill 1985	**Effective** 1 July 1988 *See* Canon 22, 1985
Canon 1, 1987 ♦	Constitution Alteration Canon 1987	Section 2 only not in effect; the rest: **Effective** 1 July 1992 *See* Bill 2, 1981 *See* Bill 1, 1987
Canon 2, 1987	Long Service Leave (Amendment) Canon 1987	**Amends** Canon 10, 1966
Bill 1, 1987 ♦	Constitution Alteration Bill 1987	Section 2 only not in effect, the rest: **Effective** 1 July 1992 *See* Bill 2, 1981 *See* Canon 1, 1987
Canon 1, 1989	General Board of Religious Education (Amendment) to Canon 1989	**Amends** Canon 9, 1962 **Repealed** by Canon 3, 2001
Canon 2, 1989	Constitution Alteration (Financial Provisions) Canon 1989	**Effective** 23 August 1989 *See* Bill 1, 1989
Canon 3, 1989	Province of Western Australia (Constitution Alteration) Canon 1989	
Canon 4, 1989	Australian Clergy Provident Fund Canon 1989	**Repeals** Canon 14, 1985 **Amendments** confirmed by Canon 4, 1995 **Repealed** by Canon 5, 1995
Canon 5, 1989	Constitution Alteration (Making of Canons) Canon 1989	**Effective** 5 June 1995 *See* Bill 2, 1989
Canon 6, 1989	Constitution Alteration (Title of the Primate) Canon 1989	**Effective** 29 January 2027 *See* Bill 3, 1989
Canon 7, 1989	General Synod Commissions Amendment Canon 1989	**Amends** Canon 8, 1969
Canon 8, 1989	Constitution Alteration (Chairing of Meetings) Canon 1989	**Effective** 24 August 1989 *See* Bill 4, 1989
Canon 9, 1989	Constitution Alteration (Canonical Fitness) Canon 1989	**Effective** 5 June 1995 *See* Bill 5, 1989
Canon 10, 1989 •	Use of Church Names Canon 1989	**Amended** by Canon 6, 2014
Canon P1, 1989	Canon Law Repeal Canon 1989	**Provisional** *See* Canon 11, 1992
Canon P2, 1989	Canon concerning authority on certain matters 1989	**Provisional** *See* Canon 9, 1992

No.	Title	Notes
Canon P3, 1989	Canon concerning confessions 1989	**Provisional** *See* Canon 10, 1992
Bill 1, 1989	Constitution Alteration (Financial Provisions) Bill 1989	**Effective** 23 August 1989 *See* Canon 2, 1989
Bill 2, 1989	Constitution Alteration (Making of Canons) Bill 1989	**Effective** 5 June 1995 *See* Canon 5, 1989
Bill 3, 1989	Constitution Alteration (Title of the Primate) Bill 1989	**Effective** 29 January 2027 *See* Canon 6, 1989
Bill 4, 1989	Constitution Alteration (Chairing of Meetings) Bill 1989	**Effective** 24 August 1989 *See* Canon 8, 1989
Bill 5, 1989	Constitution Alteration (Canonical Fitness) Bill 1989	**Effective** 5 June 1995 *See* Canon 9, 1989
Canon 1, 1992	Appellate Tribunal Canon Amendment Canon 1992	**Amends** Canon 12, 1981
Canon 2, 1992	Primate Canon Amendment Canon 1992	**Amends** Canon 15, 1985
Canon 3, 1992	National Anglican Centre Canon 1985 Repeal Canon 1992	**Repeals** Canon 21, 1985
Canon 4, 1992	NSW Provincial Synod Representatives Canon 1992	
Canon 5, 1992	General Synod Commissions Amendment Canon 1992	**Amends** Canon 8, 1969
Canon 6, 1992	Tallimba Land Diocesan Boundary Alteration Canon 1992	
Canon 7, 1992 ♦	Constitution Amendment (Section 51) Canon 1992	**Not in effect**
Canon 8, 1992	Long Service Leave Canon 1992	**Repeals** Canon 10, 1966 **Amended** by Canon 6, 1995 *See* Canon 11, 2001 **Repealed by** Canon 7, 2010
Canon 9, 1992 •	Canon concerning authority on certain matters 1989	*See* Canon P2, 1989
Canon 10, 1992 •	Canon concerning confessions 1989	*See* Canon P3, 1989 **Amended** by Canon 11, 2014 **Amended** by Canon 16, 2017 **Amended** by Canon 17, 2017 (An alternative version)
Canon 11, 1992 •	Canon Law Repeal Canon 1989	*See* Canon P1, 1989
Canon 12, 1992	Special Tribunal Procedure Canon 1992	**Amends** Canon 4, 1962 **Amends** Canon 6, 1962 **Amended** by Canon 5, 1998 **Amended** by Canon 15, 2001 **Repealed** by Canon 7, 2004
Canon 13, 1992	Constitution Alterations (Sections 17 and 23) Canon 1992	**Effective** 25 June 1995

No.	Title	Notes
Canon 14, 1992	Constitution Alteration (Miscellaneous Sections) Canon 1992	Canon and Schedules 1 and 2 **effective** 25 June 1995 Schedule 3 **effective** 31 July 1995
Canon 15, 1992	Alternative Tables of Lessons Amendment Canon 1992	**Amends** Canon 17, 1985
Canon 16, 1992	Australian College of Theology Canon 1966 Amending Canon 1992	**Amends** Canon 15, 1966
Canon 17, 1992 •	Authorised Lay Ministry Canon 1992	**Affects** Canon 12, 1973
Canon 18, 1992 •	Law of the Church of England Clarification Canon 1992	*See* Canon P1, 1992
Canon P1, 1992	Law of the Church of England Clarification Canon 1992	**Provisional** *See* Canon 18, 1992
Canon P2, 1992	Canon concerning Vesture of Ministers 1992	**Provisional** *See* Canon 19, 1995
Canon P3, 1992	Oaths Declarations and Assents Canon 1992	**Provisional** *See* Canon 15, 1998
Canon P4, 1992	Canon concerning the Holy Communion or the Lord's Supper 1992	**Provisional** *See* Canon 10, 2001
Canon P5, 1992	Canon Concerning Baptism 1992	**Provisional** *See* Canon 21, 1998
Canon P6, 1992	Canon concerning Services 1992	**Provisional** *See* Canon 13, 1998
Canon P7, 1992	Canon concerning Confirmation 1992	**Provisional** *See* Canon 14, 1998
Canon 1, 1995	Australian College of Theology Canon 1966 Amending Canon 1995	**Amends** Canon 15, 1966
Canon 2, 1995	Defence Force Board Canon Amendment Canon 1995	**Amends** Canon 20, 1985
Canon 3, 1995 •	Constitution of a Diocese Alteration Canon 1995	
Canon 4, 1995	Australian Clergy Provident Fund (Confirmation of Amendments) Canon 1995	**Confirms amendments** to Canon 4, 1989
Canon 5, 1995	Australian Clergy Provident Fund Canon 1995	**Repeals** Canon 4, 1989 **Amended** by Canon 11, 1998 **Repealed** by Canon 3, 2004
Canon 6, 1995	Long Service Leave Canon (Amendment) 1995	**Amends** Canon 8, 1992
Canon 7, 1995 •	Allocation of Funds Canon 1995	
Canon 8, 1995	Anglican Board of Mission – Australia Canon 1995	**Repeals** Canon 13, 1966 **Amended** by Canon 8, 1998 **Repealed** by Canon 9, 2001

No.	Title	Notes
Canon 9, 1995	Constitution Amendment (Table Annexed) Canon 1995	**Effective 1 May, 1997**
Canon 10, 1995 •	Interpretation Canon 1995	**Repeals** Rule XIX
Canon 11, 1995	Missionary Dioceses Amendment Canon 1995	**Amends** Canon 4, 1977
Canon 12, 1995 •	Archdeacons Canon 1995	
Canon 13, 1995 •	Prayer Book for Australia Canon 1995	
Canon 14, 1995	Reception Canon Amendment Canon 1995	**Amends** Canon 1, 1985
Canon 15, 1995	Constitution Amendment (Interpretation) Canon 1995	**Not in effect** **Repealed** by Canon 2, 1998
Canon 16, 1995 •	Financial Protection Canon 1995	**Amended** by Canon 4, 2007 **Amended** by Canon 2, 2014
Canon 17, 1995	Constitution Amendment (Rights of Non-Members of General Synod) Canon 1995	**Effective** 17 September, 1997
Canon 18, 1995 •	Bishop (Incapacity) Canon 1995	**Amended** by Canon 1, 1998
Canon 19, 1995 •	Canon concerning Vesture of Ministers 1992	*See* Canon P2, 1992 **Repeals** Canon 3, 1977
Canon 1, 1998	Bishop (Incapacity) (Amendment) Canon 1998	**Amends** Canon 18, 1995
Canon 2, 1998	Revised Constitution Amendment (Interpretation) Canon 1998	**Effective** 14 May 2001 **Repeals** Canon 15, 1995
Canon 3, 1998	Appellate Tribunal (Amendment) Canon 1998	**Amends** Canon 12, 1981
Canon 4, 1998	Defence Board Canon Amendment Canon 1998	**Amends** Canon 20, 1985
Canon 5, 1998	Special Tribunal Procedure (Amendment) Canon 1998	**Amends** Canon 12, 1992
Canon 6, 1998	Constitution Alteration (Committees Appointment) Canon 1998	**Effective** 1 March, 1998
Canon 7, 1998	National Superannuation and Retirement Council (Repeal) Canon 1998	**Repeals** Canon 2, 1981
Canon 8, 1998	Anglican Board of Mission – Australia Canon (Amendment) 1998	**Amends** Canon 8, 1995 **Repealed** by Canon 9, 2001
Canon 9, 1998	Constitution Alteration (Suspension from Duties) Canon 1998	**Not in effect** **Repealed** by Canon 13, 2001

No.	Title	Notes
Canon 10, 1998	Constitution Alteration (Tribunals) Canon 1998	**Amended** by Canon 8, 2001 **Effective** 16 June 2003
Canon 11, 1998	Anglican Superannuation Australia (Amendment) Canon 1998	**Amends** Canon 5, 1995
Canon 12, 1998	New South Wales Constitution Ratification Canon 1998	
Canon 13 1998 •	Canon Concerning Services 1992	*See* Canon P6, 1992 **Amended** by Canon 19, 2017
Canon 14, 1998 •	Canon concerning Confirmation 1992	*See* Canon P7, 1992
Canon 15, 1998 •	Oaths Affirmations Declarations and Assents Canon 1992	*See* Canon P3, 1992 **Repeals** Canon 7, 1973
Canon 16, 1998	Constitution Alteration (Composition of General Synod) Canon 1998	**Effective** 1 March 2000
Canon 17, 1998	National Aboriginal and Torres Strait Islander Anglican Council Canon 1998	**Amended** by Canon 1, 2004 **Repealed** by Canon 1, 2014
Canon 18, 1998	Constitution Alteration (Discipline Clarification) Canon 1998	**Effective** 16 April 2003
Canon 19, 1998 •	Strategic Issues, Commissions, Task Forces and Networks Canon 1998	**Repeals** Canon 8, 1969 **Amended** by Canon 12, 2001 **Amended** by Canons 4 and 6, 2004 **Amended** by Canon 3, 2007 **Amended** by Canon 21, 2017 **Amended** by Canon 6, 2022 **Amended** by Canon 11, 2026
Canon 20, 1998	Offences Canon Amendment Canon 1998	**Amends** Canon 4, 1962
Canon 21, 1998 •	Canon concerning Baptism 1992	*See* Canon P5, 1992
Canon P1, 1998	Metropolitan Canon 1998 (- 2001)	**Not in Effect**
Canon 1, 2001	NSW Provincial Synod Constitution Amendment Ratification Canon 2001	
Canon 2, 2001	Alteration of the Constitution of the Province of Queensland Ratification Canon 2001	
Canon 3, 2001	General Board of Religious Education (repeal) Canon 2001	**Repeals** Canon 1, 1989
Canon 4, 2001 •	Chancellors Canon 2001	**Amended** by Canon 11, 2022
Canon 5, 2001 •	Liturgy Publishing Canon 2001	

No.	Title	Notes
Canon 6, 2001	Canons Amendment (Bishop to the Defence Force) Canon 2001	**Amends** Canon 19, 1985 and Canon 20, 1985
Canon 7, 2001	Primate Canon (Amendment) Canon 2001	**Amends** Canon 15, 1985
Canon 8, 2001	Constitution Alteration (Tribunals) Amendment Canon 2001	**Effective** 16 June 2003 **Amends** Canon 10, 1998
Canon 9, 2001 •	Anglican Board of Mission – Australia Canon 2001	**Repeals** Canon 8, 1995
Canon 10, 2001 •	Holy Communion Canon 2001	*Replaces* Canon P4, 1992
Canon 11, 2001	Long Service Leave (Amendment) Canon 2001	**Amends** Canon 8, 1992 **Repealed** by Canon 7, 2010
Canon 12, 2001	Strategic Issues, Task Forces and Other Bodies Canon Amendment Canon 2001	**Amends** Canon 19, 1998
Canon 13, 2001	Constitution Alteration (Suspension from Duties) Canon 2001	**Effective** 16 June 2003 **Repeals** Canon 9, 1998
Canon 14, 2001	Constitution Alteration (Special Tribunal) Canon 2001	**Effective** 16 June 2003
Canon 15, 2001	Special Tribunal Procedure Amendment and Repeal Canon 2001	**Repeals** Canon 3, 1962 **Amends** Canon 12, 1992 **Repealed** by Canon 7, 2004
Canon 1, 2004	National Aboriginal and Torres Strait Islander Anglican Council Canon Amendment Canon 2004	**Amends** Canon 17, 1998
Canon 2, 2004	NSW Provincial Constitution Ratification Canon 2004	
Canon 3, 2004	Anglican Superannuation Australia Canon Repeal Canon 2004	**Repeals** Canon 5, 1995
Canon 4, 2004	Strategic Issues, Commissions, Task Forces and Networks Canon Amendment Canon 2004	**Amends** Canon 19, 1998
Canon 5, 2004	Corporate Trustees Canon 1962 Amendment Canon 2004	**Amends** Canon 2, 1962
Canon 6, 2004	Strategic Issues, Commissions, Task Forces and Networks Canon (Amendment) Canon 2004	**Amends** Canon 19, 1998
Canon 7, 2004	Special Tribunal Canon 2004	**Repeals** Canons 12, 1992 and 15, 2001 **Repealed** by Canon 12, 2007
Canon 8, 2004	Primate Canon 1985 Amendment Canon 2004	**Amends** Canon 15, 1985

No.	Title	Notes
Canon 9, 2004	Australian College of Theology (Amendment) Canon 2004	**Amends** Canon 15, 1966
Canon 10, 2004	Holy Orders, Relinquishment and Deposition Canon 2004	**Amended** by Canon 7, 2014 **Repealed** by Canon 18, 2017
Canon 11, 2004 ♦	Constitution Amendment (Relations with other Churches) Canon 2004	**Not in Effect**
Canon 12, 2004	National Register Canon 2004	**Repealed and replaced by** Canon 12, 2007
Canon 13, 2004 ♦	Constitution Alteration (Chapter IX) Canon 2004	**Not in Effect**. Proposed to be amended by Canon 6, 2007
Provisional Canon 1, 2004	Holy Orders (Reception into Ministry) Canon 2004	**Provisional.** *See* Canon 17, 2007
Provisional Canon 2, 2004	Canon concerning Holy Orders 2004	**Provisional.** *See* Canon 10, 2007
Provisional Canon 3, 2004	Restraint on Certain Consecrations Canon 2004	**Provisional**
Provisional Canon P4, 2004	Episcopal Standards Canon 2004	**Provisional.** *See* Canon 14, 2007
Canon 1, 2007	Primate Canon Amendment Canon 2007	**Amends** Canon 15, 1985
Canon 2, 2007	Constitution Amendment (Diocesan Council) Canon 2007	**Not in Effect** Proposed to be repealed by Canon 2, 2010 which is **not** in effect.
Canon 3, 2007	Strategic Issues, Commissions, Taskforces and Networks Canon Amendment Canon 2007	**Amends** Canon 19, 1998
Canon 4, 2007	Financial Protection Canon Amendment Canon 2007	**Amends** Canon 16, 1995
Canon 5, 2007	Offences Canon Amendment Canon 2007	**Amends** Canon 4, 1962
Canon 6, 2007 ♦	Constitution Alteration (Chapter IX) Canon Amendment Canon 2007	**Not in Effect** **Amends** Canon 13, 2004 which is not in effect
Canon 7, 2007	Australian College of Theology Canon 2007	**Repeals** Canon 15, 1966 **Repealed** by Canon 14, 2026
Canon 8, 2007 ♦	Constitution Amendment (Section 10) Canon 2007	**Not in Effect**
Canon 9, 2007	Long Service Leave Canon 2007	**Repeals** Canon 8, 1992 and Canon 11, 2001**.** **Repealed** by Canon 7, 2010
Canon 10, 2007 •	Canon Concerning Holy Orders 2004	**Replaces** Provisional Canon P2, 2004
Canon 11, 2007 •	Protection of the Environment Canon 2007	
Canon 12, 2007	Special Tribunal Canon Repeal Canon 2007	**Repeals** Canon 7, 2004

No.	Title	Notes
Canon 13, 2007 •	Special Tribunal Canon 2007	**Amended** by Canon 11, 2010 **Amended** by Canon 14, 2010 **Amended** by Canon 3, 2014 **Amended** by Canon 8, 2014 **Amended** by Canon 11, 2017 **Amended** by Canon 12, 2017 **Amended** by Canon 18, 2017 **Amended** by Canon 7, 2022 **Amended** by Canon 10, 2022 **Amended** by Canon 11, 2022 **Amended** by Canon 15, 2026 **Ceases to operate** in dioceses that have adopted Canon 8, 2026
Canon 14, 2007 •	Episcopal Standards Canon 2007	**Replaces** Provisional Canon P4, 2004 **Amended** by Canon 18, 2017 **Amended** by Canon 11, 2022 **Amended** by Canon 12, 2022 **Excluded** by a diocese that previously adopted it if that diocese has adopted Canon 8, 2026
Canon 15, 2007 •	National Register Canon 2007	**Repeals and Replaces** Canon 12, 2004 **Amended** by Canon 13, 2010 **Amended** by Canon 9, 2014 **Amended** by Canon 7, 2022 **Amended** by Canon 8, 2022 **Amended** by Canon 10, 2017 **Amended** by Canon 11, 2022 **Amended** by Canon 7, 2026
Canon 16, 2007 ♦	Constitution Amendment (Section 54A) Canon 2007	**Not in Effect**
Canon 17, 2007 •	Holy Orders (Reception into Ministry) Canon 2004	**Replaces** Provisional Canon P1, 2004
Canon 18, 2007	Constitution Amendment (Suspension of Bishops) Canon 2007	**Repealed** by Canon 7, 2022
Canon 19, 2007 ♦	Constitution Amendment (Provinces and Dioceses) Canon 2007	**Not in Effect**
Provisional Canon P01, 2007	Solemnization of Matrimony Amendment Canon 2007	**Lapsed 2010**
Canon 1, 2010	Constitution Amendment (Diocesan Council) Canon 2010	**Effective** 1 March 2016
Canon 2, 2010	Constitution Amendment (Diocesan Council) Repeal Canon 2010	**Not in Effect** **Repeals** Canon 2, 2007

No.	Title	Notes
Canon 3, 2010	Constitution Amendment (Appellate Tribunal Part Heard Matters) Canon 2010	**Repealed** by Canon 2, 2017
Canon 4, 2010	National Aboriginal and Torres Strait Islander Anglican Council Canon 2010	**Repealed** by Canon 1, 2014
Canon 5, 2010	Appellate Tribunal Amendment (Part Heard Matters) Canon 2010	**Amends** Canon 12, 1981 Comes into force on the day after Canon 3, 2010 commences **Repealed** by Canon 3, 2017
Canon 6, 2010 •	Trust Corporation Canon 2010	**Repeals** Canon 2, 1962 **Amended** by Canon 13, 2026
Canon 7, 2010 •	Long Service Leave Canon 2010	**Effective** 1 January 2015 **Repeals** Canon 8, 1992, Canon 11, 2001 and Canon 9, 2007 **Amended** by Canon 13, 2017 **Amended** by Canon 14, 2017 **Amended** by Canon 5, 2022 **Amended** by Canon 12, 2026
Canon 8, 2010 ♦	Constitution Amendment (Section 30) Canon 2010	**Not in Effect**
Canon 9, 2010	Constitution Amendment (Sentences of Tribunals) Canon 2010	**Repealed** by Canon 2, 2022
Canon 10, 2010	Constitution of the Province of Western Australia 1914-1984 Amendment Canon 2009 (No 1 of 2009) Ratification Canon 2010	
Canon 11, 2010	Special Tribunal Canon 2007 Amendment (No 2) Canon 2010	**Amends** Canon 13, 2007
Canon 12, 2010	Constitution Amendment (Chapter V) Canon 2010	**Effective** 1 July 2014
Canon 13, 2010	The National Register Canon 2007 Amendment Canon 2010	**Amends** Canon 15, 2007
Canon 14, 2010	Special Tribunal Canon Amendment (No 1) Canon 2010	**Amends** Canon 13, 2007
Canon 1, 2014 •	National Aboriginal and Torres Strait Islander Anglican Council Canon 2014	**Effective** 1 January 2015 **Repeals** Canon 17, 1998 and Canon 4, 2010 **Amended** by Canon 20, 2017 **Amended** by Canon 3, 2022
Canon 2, 2014	Financial Protection Canon 1995 Amendment Canon 2014	**Amends** Canon 16, 1995
Canon 3, 2014	Special Tribunal Canon 2007 Amendment Canon 2014	**Amends** Canon 13, 2007
Canon 4, 2014	Constitutional Amendment (Membership of the Diocesan Tribunal) Canon 2014	**Effective** 1 July 2019

No.	Title	Notes
Canon 5, 2014	Constitutional Amendment (Membership of the Provincial Tribunal) Canon 2014	**Effective** 1 July 2019
Canon 6, 2014	Use of Church Names Canon. 1989 Amendment Canon 2014	**Amends** Canon 10, 1989
Canon 7, 2014	Holy Orders, Relinquishment and Deposition Canon 2004 Amendment Canon 2014	**Amends** Canon 10, 2004
Canon 8, 2014	Special Tribunal Canon 2007 (s52) Amendment Canon 2014	**Amends** Canon 13, 2007
Canon 9, 2014	National Register Canon 2007 (Amendment) Canon 2014	**Amends** Canon 15, 2007
Canon 10, 2014	Primate Canon 1985 Amendment Canon 2014	**Amends** Canon 15, 1985
Canon 11, 2014	Canon concerning confessions 1989 (Amendment) Canon 2014	**Repealed by** Canon 16, 2017
Canon 1, 2017	Appellate Tribunal Amendment (Qualification) Canon 2017	**Amends** Canon 12, 1981
Canon 2, 2017	Constitution (Appellate Tribunal) Amendment Canon 2017	**Repeals** Canon 3, 2010, which was not in effect **Effective** 1 December 2019
Canon 3, 2017	Appellate Tribunal Amendment (Reserve Lists) Canon 2017	**Amends** Canon 12, 1981 **Repeals** Canon 5, 2010
Canon 4, 2017 •	Safe Ministry to Children Canon 2017	**Amended** by Standing Committee Resolutions SC2018/03/39, SC2018/03/40, SC2021/2/25, SC2021/2/26 **Amended** by Canon 11, 2022 **Amended** by Canon 8, 2026 **Amended** by Canon 14, 2026
Canon 5, 2017 •	Episcopal Standards (Child Protection) Canon 2017	**Amended** by Canon, 7 2022 **Amended** by Canon 8, 2022 **Amended** by Canon 9, 2022 **Amended** by Canon 11, 2022 **Excluded** by a diocese that previously adopted it if that diocese has adopted Canon 8, 2026
Canon 6, 2017	Constitution (Jurisdiction of Special Tribunal) Amendment Canon 2017	**Effective** 1 November 2019
Canon 7, 2017	Offences Amendment Canon 2017	**Amends** Canon 4, 1962
Canon 8, 2017 •	Redress for Survivors of Abuse Canon 2017	
Canon 9, 2017 •	Disclosure of Information Canon 2017	

No.	Title	Notes
Canon 10, 2017	National Register Amendment Canon 2017	**Amends** Canon 15, 2007
Canon 11, 2017	Special Tribunal Amendment Canon 2017	**Amends** Canon No, 13, 2007
Canon 12, 2017	Special Tribunal (Limitation Period) Canon 2017	**Amends** Canon 13, 2007
Canon 13, 2017	Long Service Leave (Revision of Entitlement) Canon 2017	**Amends** Canon 7, 2010
Canon 14, 2017	Long Service Leave (Notification of Participating Organisation) Canon 2017	**Amends** Canon 7, 2010
Canon 15, 2017	Canon to Ratify the Amended New South Wales Provincial Synod Constitution 2017	**Effective** 6 September 2017
Canon 16, 2017	Canon Concerning Confessions (Revision) Canon 2017	**Amends** Canon 10, 1992 **Repeals** Canon 11, 2014
Canon 17, 2017	Canon Concerning Confessions (Vulnerable Persons) Canon 2017	**Amends** Canon 10, 1992
Canon 18, 2017 •	Holy Orders (Removal from Exercise of Ministry) Canon 2017	**Repeals** Canon 10, 2004 **Amends** Canon 13, 2007 **Amends** Canon 14, 2007
Canon 19, 2017	Canon Concerning Services Amendment Canon 2017	**Amends** Canon 13, 1998
Canon 20, 2017	National Aboriginal and Torres Strait Islander Anglican Council Amendment Canon 2017	**Amends** Canon 1, 2014
Canon 21, 2017	Strategic Issues, Commissions, Task Forces and Networks Amendment Canon 2017	**Amends** Canon 19, 1998
Canon 22, 2017	Missionary Dioceses (Amendment) Canon 2017	**Amends** Canon 4, 1977
Canon 1, 2022	Eighteenth General Synod Participation Canon 2022	**Repealed** at the conclusion of the Eighteenth General Synod
Canon 2, 2022	Constitution (Repeal of Canon No 9 of 2010) Canon 2022	**Repeals** Canon 9, 2010 which was not in effect **Effective** 9 May 2022
Canon 3, 2022	National Aboriginal and Torres Strait Islander Anglican Amendment Canon 2022	**Amends** Canon 1, 2014
Canon 4, 2022	Defence Force Ministry (Amendment) Canon 2022	**Amends** Canon 19, 1985
Canon 5, 2022	Long Service Leave (Sabbatical Allowance Amendment) Canon 2022	**Amends** Canon 7, 2010

No.	Title	Notes
Canon 6, 2022	Strategic Issues, Commission, Task Forces and Networks Amendment Canon 2022	**Amends** Canon 19, 1998
Canon 7, 2022	Constitution Amendment (Mandatory Suspension) Canon 2022	**Effective** 10 March 2025 **Amends** Canon 13, 2007 **Amends** Canon 15, 2007 **Repeals** Canon 18, 2007 which was not in effect **Amends** Canon 5, 2017
Canon 8, 2022	Constitution Amendment (Mandatory Deposition) Canon 2022	**Effective** 10 March 2025 **Amends** Canon 15, 2007 **Amends** Canon 5, 2017
Canon 9, 2022	Episcopal Standards (Child Protection) (Amendment) Canon 2022	**Amends** Canon 5, 2017
Canon 10, 2022	Special Tribunal (Removal from Office) Canon 2022	**Amends** Canon 13, 2007
Canon 11, 2022	Safe Ministry Legislation Amendments Canon 2022	**Amends** Canon 4, 1962 **Amends** Canon 4, 2001 **Amends** Canon 13, 2007 **Amends** Canon 14, 2007 **Amends** Canon 15, 2007 **Amends** Canon 4, 2017 **Amends** Canon 5, 2017
Canon 12, 2022	Episcopal Standards Investigations Amendment Canon 2022	**Amends** Canon 14, 2007
Canon 13, 2022 •	General Synod Presence Canon 2022	**Amended** by Canon 1, 2025
Canon 1, 2025	General Synod Presence (Amendment) Canon 2025	**Amends** Canon 13, 2022
Canon 1, 2026	Primate Amendment Canon 2026	**Amends** Canon 15, 1985
Canon 2, 2026	Constitution (Publication of Constitutional Amendments) Canon 2026	**Effective** 10 August 2026
Canon 3, 2026 ♦	Constitution Amendment (Provincial Composition) Canon 2026	**Not yet in Effect**
Canon 4, 2026 ♦	Constitution Amendment (Provincial Constitutions) Canon 2026	**Not yet in Effect**
Canon 5, 2026 ♦	Constitutional Amendment (First Nations Bishops) Canon 2026	**Not yet in Effect**

No.	Title	Notes
Canon 6, 2026 ♦	National Aboriginal and Torres Strait Islander Anglican Council (Amendment) Canon 2026	**Not yet in Effect** Comes in effect when Canon 5, 2026 comes into effect
Canon 7, 2026	Offences Amendment Canon 2026	**Amends** Canon 4, 1962 **Amends** Canon 15, 2007
Canon 8, 2026 •	Special Tribunal Canon 2026	**Amends** Canon 4, 1962 **Amends** Canon 4, 2017 **When adopted:** • Canon 13, 2007 ceases to operate in that diocese • Canon 14, 2007 is excluded by a Diocese if that Diocese previously adopted it • Canon 5, 2017 is excluded by a Diocese if that Diocese previously adopted it
Canon 9, 2026 ♦	Constitution Amendment (Defence Force Representation in General Synod) Canon 2026	**Not yet in Effect**
Canon 10, 2026	Defence Force Ministry (Representation in General Synod) Canon 2026	**Amends** Canon 19, 1985
Canon 11, 2026	General Synod Office Staff Committee Membership Canon 2026	**Amends** Canon 19, 1998 **Amends** Rule II
Canon 12, 2026	Long Service Leave (Amendment) Canon 2026	**Amends** Canon 7, 2010
Canon 13, 2026	Trust Corporation Amendment Canon 2026	**Amends** Canon 6, 2010
Canon 14, 2026	Miscellaneous Legislative Amendments and Repeals Canon 2026	**Amends** Canon 4, 2017 **Repeals** Canon 7, 2007
Canon 15, 2026	Special Tribunal Canon 2007 (Amendment) Canon 2026	**Amends** Canon 13, 2007

APPENDIX B

TABLE OF CANONS DEALING WITH THE CONSTITUTIONS AND CANONS ECCLESIASTICAL AGREED UPON BY THE BISHOPS AND CLERGY OF THE PROVINCE OF CANTERBURY IN THE YEAR OF OUR LORD 1603 AND KNOWN AS THE CANONS OF 1603

THE CONSTITUTIONS AND CANONS ECCLESIASTICAL 1603

The General Synod has made canons which provide that the Canons of 1603 shall have no operation or effect [insofar as they may have any force] in a diocese which adopts the General Synod canons. The Table below shows in summary how all 141 Canons of 1603 have been dealt with.

Canon of 1603	Canon of General Synod
62, 63, 100 to 104 inclusive	Solemnization of Matrimony Canon 1981 - Canon No. 3, 1981
99	Matrimony (Prohibited Relationships) Canon 1981 - Canon No. 15, 1981
113 (the proviso)	Canon Concerning Confessions 1989 - Canon No. 10, 1992
1 to 13 inclusive, 15, 16, 38 to 42 inclusive, 44, 48, 59, 65, 66, 71, 73, 75, 77 to 98 inclusive, 105 to 112 inclusive, 113 (other than the proviso), 114 to 141 inclusive	Canon Law Repeal Canon 1989 - Canon No. 11, 1992
17, 24, 25, 58, 74	Canon concerning Vesture of Ministers 1992 - Canon No. 19, 1995
14, 18, 19, 43, 45, 46, 47, 49 to 57 inclusive, 64, 67, 72	Canon concerning Services 1992 - Canon No. 13, 1998
60, 61	Canon concerning Confirmation 1992 - Canon No. 14, 1998
36 (except to the extent that it requires a person to be licensed by the bishop of a diocese)	Oaths Affirmations Declarations and Assents Canon 1992 - Canon No. 15, 1998
29, 30, 68, 69, 70	Canon concerning Baptism 1992 - Canon No. 21, 1998
127, 128	Chancellors Canon 2001 – Canon No. 4, 2001
20, 21, 22, 23, 26, 27, 28	Holy Communion Canon 2001 – Canon No. 10, 2001
76	Holy Orders, Relinquishment and Deposition Canon, 2004 - Canon No. 10, 2004 NOTE – This Canon was repealed by Canon 18, 2017
31, 32, 33, 34, 35, remainder of 36, 37	Canon Concerning Holy Orders 2004 – Canon No. 10, 2007

The Canons of General Synod referred to in the right hand column of the Table are set out in Part 2.

APPENDIX C

TABLE OF RULES

1962-2026

TABLE OF RULES 1962 - 2026

The symbol • indicates legislation which is printed in this volume, with any amendments incorporated.

No.	Title	Notes
Rule I [1962] •	Rules for the conduct of all business coming before the General Synod of the *Anglican Church of Australia* to be known as Standing Orders	**Amended** by Rule 1, 1969 **Amended** by Rule 2, 1973 **Amended** by Rule 2, 1981 **Amended** by Rule 2, 1992 **Amended** by Rule 5, 1992 **Amended** by Rule 1, 1995 **Amended** by Rule 2, 1995 **Amended** by Rule 1, 2001 **Amended** by Rule 1, 2004 **Amended** by Rule 1, 2007 **Amended** by Rule 1, 2010 **Amended** by Rule 2, 2010 **Amended** by Rule 3, 2010 **Amended** by Rule 8, 2010 **Amended** by Rule 2, 2014 **Amended** by Rule 3, 2014 **Amended** by Rule 1, 2017 **Amended** by Rule 3, 2017 **Amended** by Rule 1, 2022 **Amended** by Rule 1, 2026
Rule II [1962] •	Rules for the appointment of a Standing Committee of General Synod and defining its powers and duties	**Amended** by Rule 1, 1966 **Amended** by Rule 1, 1981 **Amended** by Rule 1, 1989 **Amended** by Rule 6, 1992 **Amended** by Rule 3, 1995 **Amended** by Rule 1, 1998 **Amended** by Rule 2, 2007 **Amended** by Rule 4, 2007 **Amended** by Rule 4, 2017 **Amended** by Rule 3, 2022 **Amended** by Rule 4, 2022 **Amended** by Canon 11, 2026
Rule III [1962] •	Rules for the conduct of elections ordered to be made by the General Synod (National Register Checks)	**Amended** by Rule 1, 1977 **Amended** by Rule 4, 2010 **Amended** by Rule 5, 2010 **Amended** by Rule 1, 2014 **Amended** by Rule 2, 2017 **Amended** by Rule 2, 2022
Rule IV [1962] •	Rules for elections under section 22 of the Constitution	
Rule V [1962] •	Rule re statement made under section 4 of the Constitution	

No.	Title	Notes
Rule VI [1962] •	Rule re deviations under section 4 of the Constitution	
Rule VII [1962]	Rule re circulation required by section 27(i) of the Constitution	**Repealed** by Rule 1, 1992
Rule VIII [1962] •	Rule re petition under section 28(2)	
Rule IX [1962]	Rule re Procedure to be followed under Section 28(3)(ii) and (iii) of the Constitution	**Repealed** by Rule 5, 1995 and new Rule IX **substituted**
Rule X [1962]	Rule re petition under section 29 of the Constitution	**Repealed** by Rule 4, 1995
Rule XI [1962]	Rule re declaration under section 29 of the Constitution	**Repealed** by Rule 4, 1995
Rule XII [1962] •	Rule re declaration under section 30 Proviso (b) of the Constitution	
Rule XIII [1962] •	Rule re declaration under section 30 Proviso (c) of the Constitution	
Rule XIV [1962]	Rule under section 31 of the Constitution	**Repealed** by Rule 4, 1995
Rule XV [1962] •	Rules under section 32 of the Constitution	**Amended** by Rule 3, 1966 **Amended** by Rule 2, 1989 **Amended** by Rule 4, 1992 **Amended** by Rule 6, 1995 **Amended** by Rule 6, 2010
Rule XVI [1962] •	Rules relating to charges against a clerk	
Rule XVII [1962] •	Rule under section 60 of the Constitution	
Rule XVIII [1962] •	Rule under section 63 of the Constitution	**Amended** by Rule 3, 2007
Rule XIX [1962] •	Rule re interpretation	**Repealed** by Canon 10, 1995 The repeal of Rule XIX does not affect its application to canons made before 1 January 1996 (s12(2) Interpretation Canon 1995)
Rule XX Rule 1, 1966	Rules for promulgating the date on which an alteration of the Constitution has come into effect	**Amended** by Rule 3, 1981 **Repealed** by Rule 3, 1992 **and new Rule XX substituted**
Rule 2, 1966	Rules to amend Rules for the appointment of a Standing Committee of General Synod and defining its powers and duties	**Amends** Rule II

No.	Title	Notes
Rule 3, 1966	Rule to amend clause 7 of Rule XV under section 32 of the Constitution	**Amends** Rule XV
Rule 1, 1969	Amended Rules for the conduct of all business coming before the General Synod of the Church of England in Australia known as Standing Orders	**Amends** Rule I
Rule XXI Rule 2, 1969	Rules for the conduct of elections under the Australian Board of Missions Canon 1966	**Rescinded** by Rule 1, 1973
Rule 1, 1973	Rule rescinding Rule XXI passed on 16th September 1969 being rules for the conduct of elections under the Australian Board of Missions Canon 1966	**Rescinds** Rule XXI (Rule 2, 1969)
Rule 2, 1973	Amended rules for the conduct of all business coming before the General Synod of the Church of England in Australia known as Standing Orders	**Amends** Rule I
Rule 1, 1977	Rule to amend Rule III passed on 14th May, 1962 for the conduct of elections	**Amends** Rule III
Rule 1, 1981	A Rule to amend the Rules for the appointment of a Standing Committee of General Synod and defining its powers and duties	**Amends** Rule II
Rule 2, 1981	A Rule to amend the Standing Orders of General Synod	**Amends** Rule II
Rule 3, 1981	A Rule to amend the Rules for promulgating the date upon which an alteration of the Constitution has come into effect	**Amends** Rule XX **Rescinded** by Rule 3, 1992
Rule 1, 1989	A Rule to amend the Rules for the appointment of a Standing Committee of General Synod and defining its powers and duties	**Amends** Rule II
Rule 2, 1989	A Rule to amend the Rules under Section 32 of the Constitution	**Amends** Rule XV
Rule 1, 1992	[Rule VII re circulation required by Section 27(I) of the Constitution repealed]	**Repeals** Rule VII

No.	Title	Notes
Rule 2, 1992	Rules to amend the Standing Orders of Synod and make provision for the operation of the amendments	**Amends** Rule I
Rule XX Rule 3, 1992	[Rule XX repealed and new Rule XX substituted]	**Repeals** Rule XX (Rule 3, 1981) and substitutes new Rule XX **Repealed** by Rule 7, 1995
Rule 4, 1992	Rules to amend Rule XV – Rules under Section 32 of the Constitution	**Amends** Rule XV
Rule 5, 1992	Rules to amend the Standing Orders of Synod with respect to motions involving expenditures of General Synod funds	**Amends** Rule I
Rule 6, 1992	Rule to amend Rule II – Rules for the appointment of a Standing Committee and defining its powers and duties	**Amends** Rule II
Rule 1, 1995	Rule to amend Rule I - Standing Orders	**Amends** Rule I
Rule 2, 1995	Rule to amend Rule I - Standing Orders	**Amends** Rule I
Rule 3, 1995	Rule to amend Rule II - Rules for the Appointment of a Standing Committee of General Synod and defining its powers and duties	**Amends** Rule II
Rule 4, 1995	Rule to Repeal Rules X, XI and XIV	**Repeals** Rules X, XI and XIV
Rule IX • Rule 5, 1995	Rule to repeal Rule IX and substitute a new Rule IX - Procedure to be followed under section 28(3)(ii) & (iii) of the Constitution	**Repeals** Rule IX and **substitutes** new Rule IX
Rule 6, 1995	Rule to amend Rule XV - Rules under Section 32 of the Constitution	**Amends** Rule XV
Rule XX • Rule 7, 1995	Rule to repeal Rule XX and substitute a new Rule	**Repeals** Rule XX (Rule 3, 1992) and **substitutes** new Rule XX
Rule XXI • Rule 8, 1995	Rule with respect to adoption of General Synod Canons	
Rule 1, 1998	Rule to amend Rule II - Rules for the appointment of a Standing Committee of General Synod and defining its powers and duties	**Amends** Rule II

No.	Title	Notes
Rule 1, 2001	Rule to amend Rule I - Standing Orders	**Amends** Rule I
Rule XXII • Rule 2, 2001	Rule with respect to Indigenous members of the House of Bishops	
Rule 1, 2004	Rule to amend Rule I – Standing Orders	**Amends** Rule I
Rule XXIII • Rule 2, 2004	Rule under Section 1(c) Admission to Holy Communion Canon 1973	
Rule 1, 2007	Rule to amend Rule I - Standing Orders	**Amends** Rule I
Rule 2, 2007	Rule to amend clause 2 of Rule II - Rules for the appointment of a Standing Committee of General Synod and defining its powers and duties	**Amends** Rule II
Rule 3, 2007	Rule to amend Rule XVIII - a Rule under Section 63 of the Constitution	**Amends** Rule XVIII
Rule 4, 2007	Rule to amend clause 4 of Rule II - Rules for the appointment of a Standing Committee of General Synod and defining its powers and duties	**Amends** Rule II
Rule 1, 2010	Rule to amend Rule I – Standing Orders (Standing Order 7)	**Amends** Rule I
Rule 2, 2010	Rule to amend Rule I – Standing Orders (Standing Order 34)	**Amends** Rule I
Rule 3, 2010	Rule to amend Rule I – Standing Orders (Standing Order 37B)	**Amends** Rule I
Rule 4, 2010	Rule to amend Rule III – Rules for the conduct of elections ordered to be made by the General Synod (National Register checks)	**Amends** Rule III
Rule 5, 2010	Rule to amend Rule III – Rules for the conduct of elections ordered to be made by the General Synod (Rules 17 and 20)	**Amends** Rule III
Rule 6, 2010	Rule to amend Rule XV – Rules Under S 32 of the Constitution	**Amends** Rule XV
Rule XXIV • Rule 7, 2010	Rule relating to administrative services of the General Synod	
Rule 8, 2010	Rule to amend Rule I – Standing Orders (Standing Order 7)	**Amends** Rule I. Effective 1 July 2014 when Canon 12, 2010 came into effect

No.	Title	Notes
Rule No. 1, 2014	Rule to amend Rule III for the conduct of elections ordered to be made by the General Synod	**Amends** Rule III
Rule No. 2, 2014	Rule to amend Rule I – Standing Orders (Standing Order 42A)	**Amends** Rule I
Rule No. 3, 2014	Rule to amend Rule I – Standing Orders (Standing Order 66)	**Amends** Rule I
Rule 1, 2017	Rule to amend Rule I – Standing Orders (Formal Motions) (Standing Order 10(b))	**Amends** Rule I
Rule 2, 2017	Rule to amend Rule III – Rules for the conduct of elections ordered to be made by the General Synod	**Amends** Rule III
Rule 3, 2017	Rule to amend Rule I – Standing Orders (Electronic voting)	**Amends** Rule I
Rule 4, 2017	Rule to amend Rule II – Standing Committee of General Synod	**Amends** Rule II
Rule 1, 2022	Rule to Amend Rule I - Standing Orders (Speaking to Motions) 2022	**Amends** Rule I
Rule 2, 2022	Rule to Amend Rule III - Nominations and Balloting 2022	**Amends** Rule III
Rule 3, 2022	Rule to Amend Rule II - Standing Committee (Conflict of Interest) 2022	**Amends** Rule II
Rule 4, 2022	Rule to Amend Rule II - Standing Committee (Membership) 2022	**Amends** Rule II
Rule 1, 2026	Rule to Amend Rule I – Standing Orders 2026	**Amends** Rule I
Canon 11, 2026	General Synod Office Staff Committee Membership Canon 2026	**Amends** Rule II

APPENDIX D

DETERMINATIONS OF THE GENERAL SYNOD OF THE DIOCESES IN AUSTRALIA AND TASMANIA

1872-1961

BISHOP MENTALLY INCAPABLE DETERMINATION VI, SESSION 1891

Made 3 October 1891

Rules to provide for the case of a Bishop mentally incapable of administering his Diocese.

1. If at any time it shall be declared and determined by a Court of competent jurisdiction that the Bishop of any Diocese in Australia or Tasmania is incapable of managing his affairs, such declaration or determination shall be notified to the Primate or Senior Bishop as the case may be and such Primate or Senior Bishop may formally declare the See vacant and give due notice of the vacancy and thereupon the same shall be deemed vacant.

2. Where there shall have been no legal proceedings in the case as hereinbefore provided and it shall be established to the satisfaction of the Primate or Senior Bishop as the case may be upon the report of a majority of the members of the Diocesan Council, Standing Committee, or the corresponding Body in any Diocese - such report being accompanied and supported by the certificate of not less than three duly qualified medical practitioners - that there is *prima facie* reason to believe that the Bishop is rendered incapable by any form of mental or cerebral disease of administering his See the Primate or Senior Bishop as the case may be thereupon shall issue a Commission of Enquiry to three Bishops with authority to take such medical and other evidence as they may think necessary and to report to him. If the report of the said Commission should be that the Bishop is incapable as aforesaid the Primate or Senior Bishop as the case may be may declare the See vacant and thereupon such See shall be deemed vacant.

BISHOPS COADJUTOR DETERMINATION II, SESSION 1896

Made 6 October 1896
Amended by Determination IV, 10 October 1921

Rules for appointing Bishops Coadjutor.

1. The Synod of any Diocese in Australia and Tasmania may create the office of one or more Bishops Coadjutor, with or without a defined area of work, within the limits of the Diocese.

2. The appointment from time to time to such office shall vest in the Bishop of the Diocese, and the Bishops Coadjutor so appointed shall perform such episcopal acts as the Bishop of the Diocese shall require.

3. No such appointment shall be filled, nor any person consecrated to fill such appointment, without the same confirmation as is required in the case of a Diocesan Bishop.

4.[1] No such appointment or Consecration as aforesaid shall take place unless and until the majority of the Metropolitans are satisfied that a sufficient income is provided for such Bishop Coadjutor.

5. The appointment of such Bishops Coadjutor shall determine with the voidance of the See, but he may *vacante sede* perform such episcopal acts within the Diocese as the Primate or Metropolitan, as the case may be, shall direct him to perform. In the event of his re-appointment in the same or any other Diocese, no fresh confirmation shall be necessary.

6. No Bishop Coadjutor shall be entitled by virtue of his office to a seat in the House of Bishops - nor shall any Bishop Coadjutor have a voice in the confirmation of Bishops.

7. Nothing herein contained shall be held to confer on any Bishop Coadjutor *jus successionis* to the See.

8. Determination IV, Session 1891, is hereby repealed.

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[1] Substituted by amending Determination IV, 1921.