

NATIONAL REGISTER CANON 2004

Canon No. 12, 2004

The General Synod prescribes as follows:

1 This Canon may be cited as the "National Register Canon 2004".

2 In this Canon, unless the context otherwise requires:

"civil authorities" means the police and the relevant State or Territory government child protection authority;

"clergy" means a person who is or has been a bishop, priest or deacon in this Church and who is still living;

"Director of Professional Standards" means the Director of Professional Standards of a diocese or the person who carries out the functions in a diocese or who works in conjunction with a Professional Standards Committee and includes the Director of the Episcopal Standards Commission appointed under the Special Tribunal Canon 2004;

"notifiable complaint" means a complaint about the conduct of a member of the clergy or church worker involving sexual harassment or assault or sexually inappropriate behaviour or child abuse, or inappropriate or unreasonable conduct of the member of the clergy or church worker who had knowledge of the conduct of another member of the clergy or church worker involving sexual harassment or assault or sexually inappropriate behaviour or child abuse, or who had knowledge of the failure of a Church body or Church authority to deal appropriately with or to investigate such a complaint

"Professional Standards Board" means the Professional Standards Board of a diocese or a body in a diocese having power to make findings or recommendations relating to the conduct of clergy or a lay person and includes the Episcopal Standards Board constituted under the Episcopal Standards Canon 2004;

"Professional Standards Committee" means the Professional Standards Committee of a diocese or the body in a diocese which has power to investigate or cause to be investigated the conduct of clergy or a lay person and includes the Episcopal Standards Commission constituted under the Special Tribunal Canon 2004;

"Standing Committee" means the Standing Committee of General Synod.

3 There shall be a National Register of clergy and lay persons maintained in accordance with the provisions of this Canon.

- 4 (1) The National Register shall be a register of all clergy ordained or licensed together with such other clergy as the Standing Committee may determine;
- (2) The register of clergy shall contain the matters referred to in the First Schedule and such other details as the Standing Committee may determine.
- 5 (1) The National Register shall be a register of all lay persons who have been the subject of investigation by a Professional Standards Committee where the allegations the subject of the investigation were not summarily dismissed, and of lay persons who have been declined ordination as a deacon or employment or appointment in the Church because of an adverse risk assessment.
- (2) The register of lay persons shall contain the matters referred to in the Second Schedule and such other details as the Standing Committee may determine.
- 6 The National Register shall contain such other matters as may be required to be entered into it by any other canon.
- 7 The National Register shall be maintained by the General Secretary in such form as the Standing Committee shall approve.
- 8 It is the duty of each diocesan Registrar and each Director of Professional Standards to notify the General Secretary as soon as practicable after the first day of January, April, July and October in each year of all fresh matters and changes in details known to him or her within his or her area of responsibility which are required to be inserted in the National Register.
- 9 (1) Access to the National Register shall, subject to sections 10 and 11, be restricted to a diocesan Bishop, a Director of Professional Standards, civil authorities and such other persons as may be determined by the Standing Committee.
- (2) The Standing Committee shall report to General Synod any determination made under subsection (1) and shall make available to any person on request the particulars of any such determination.
- 10 Every person whose name is on the National Register shall, on application and upon payment of the fee determined by the Standing Committee from time to time, be entitled to a copy of the entry in the National Register concerning that person.
- 11 Any person shall, on application and upon payment of the fee determined by the Standing Committee from time to time be entitled to a copy of items 1, 3, 4, 5, 6 and 7 of the First Schedule.

- 12 (1) The General Secretary must, at the request of a person to whom information in the National Register relates, make appropriate amendments (whether by way of corrections, deletions or additions) to ensure that the information relating to that person:
- (a) is accurate, and
 - (b) having regard to any purpose for which the information was collected or may be used, and to any purpose that is directly related to such a purpose, is relevant, up to date, complete and not misleading.
- (2) If the General Secretary is not prepared to amend personal information in accordance with a request by the person to whom the information relates, the General Secretary must, if so requested by the person, include with the information any statement provided by the person of the amendment sought.

THE FIRST SCHEDULE

- 1 Full name.
- 2 Diocese in which resident and/or residential address.
- 3 Degrees and qualifications including date of award.
- 4 Date of being made deacon, name of presiding bishop and diocese in which ordained.
- 5 Date of being made priest, name of presiding bishop and diocese in which ordained.
- 6 Date of consecration as bishop, names of consecrating bishops and diocese in which consecrated.
- 7 Particulars of any current licence, authority or permission to officiate.
- 8 Whether the subject at any time of an investigation into an allegation, unless summarily dismissed, by a Professional Standards Committee.
- 9 Any decision of the Professional Standards Committee.
- 10 Date of reference of any matter to a Professional Standards Board or to a diocesan tribunal or the Special Tribunal.
- 11 Particulars of a determination or recommendation of a Professional Standards Board, a diocesan tribunal or the Special Tribunal, including any determination on appeal therefrom.
- 12 Particulars of any relinquishment of Holy Orders and any circumstances relevant to the relinquishment.
- 13 Particulars of any deposition from Holy Orders and any circumstances relevant to the deposition.
- 14 Date of each children's commission background check or criminal history check.
- 15 Name of the bishop or bishops and date of any decision to decline by the bishop to ordain the person as a priest or to issue a licence or authority to the person or any refusal by the bishops to consecrate the person as a bishop because of an adverse risk assessment.
- 16 Name of the church organisation and date of any refusal by the church organisation to employ or appoint the person because of an adverse risk assessment.

THE SECOND SCHEDULE

- 1 Full name.
- 2 Residential address.
- 3 Church body by which last employed or engaged or in which office last held.
- 4 Date when became the subject of investigation by a Professional Standards Committee.
- 5 Any decision of the Professional Standards Committee.
- 6 Date of reference of any matter to a Professional Standards Board.
- 7 Particulars of a determination or recommendation of a Professional Standards Board including any determination on appeal therefrom.
- 8 Name of the bishop and the date of any decision to decline by the bishop to ordain the person as a deacon because of an adverse risk assessment.
- 9 Name of the church organisation and date or any refusal by the church organisation to employ or appoint the person because of an adverse risk assessment.
