

PARTICIPATION BY PERSONS OF CONCERN IN PARISHES CANON

A Canon to facilitate the implementation of the standards for safe ministry with a Person of Concern prescribed under the Safe Ministry to Children Canon 2017 of General Synod.

Short Title

1. This Canon may be cited as the "Participation by Persons of Concern in Parishes Canon".

Interpretation

2. In this Canon unless the context otherwise requires:
 - (1) "Safe Ministry Canon" means the Safe Ministry to Children Canon 2017 of General Synod and any amendments to that Canon adopted by this Diocese from time to time;
 - (2) "Persons of Concern Policy" means the policy from time to time identified in the Second Schedule to the Safe Ministry Canon;
 - (3) "Churchwarden" has the meaning as in the Parishes Regulation Canon, and includes "Cathedral Warden" as in the Cathedral Congregation Canon.
 - (4) Words and expressions defined in the Persons of Concern Policy and used in this Canon have the same meaning given to them in the Persons of Concern Policy.
 - (5) "Direction" means a direction made under the Persons of Concern Policy by the Archbishop (or other person authorised by the Persons of Concern Policy in consultation with the Archbishop) that a Person of Concern not participate in the life of the parish, and may include a prohibition from entering some or all of the property used by, or for the operation of, the Parish (the Specified Property).
 - (6) "Parish" includes the "Cathedral" as in the Cathedral Canon.

Authority to Exclude Persons of Concern

3. In any application of the Persons of Concern Policy which results in a Direction:
 - (1) The Archbishop or, at the Archbishop's election, either the Minister or Churchwardens of the Parish may issue a written notice to the Person of Concern containing the Direction.
 - (2) A Direction will be taken as given to a Person of Concern when the written notice is:
 - a. delivered in person;
 - b. left at the person's last known residential address;
 - c. sent by pre-paid post to the person's last known postal address;

- d. emailed to the person's last known email address; or
- e. sent by text message to the person's last known mobile phone number.

4. Where a Direction is given to a Person of Concern, the Direction:

- (1) has the effect of prohibiting the Person of Concern from entering the Specified Property;
- (2) will remain in force indefinitely unless and until it is revoked.

5. If a Person of Concern enters the Specified Property whilst a Direction remains in force, the Person of Concern will be deemed to be a trespasser.

Archbishop's Authority to Exclude Persons of Concern

6. Despite the terms of the Persons of Concern Policy, if at any time the Archbishop decides that a Direction should be given in the interests of protecting people in a Parish from the risk of harm from sexual abuse by a Person of Concern, the Archbishop may give a Direction without complying with the Process of Assessment or any other requirement under the Persons of Concern Policy.

I certify that this copy of the Canon is in accordance with that passed by the Committee. }


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(Chairman of Committees)

I assent


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(Archbishop)

30th June 2019.
.....
(Date)

INSURANCE CANON REPEAL CANON 2019

A Canon to repeal the Insurance Canon.

The Archbishop, Clergy and Laity of the Diocese of Brisbane assembled in Synod prescribe –

Short Title

1. This Canon may be cited as the “Insurance Canon Repeal Canon 2019”.

Repeal

2. The Insurance Canon 1997 is repealed with effect from the date determined under section 3.
3. The repeal in section 2 will take effect on a date declared by Diocesan Council.
4. Regulation I - Sickness and Accident and Maternity Leave Compensation Scheme (Regulation I) made by the Archbishop-in-Council under the Insurance Canon is repealed with effect from the date that the repeal of the Insurance Canon takes effect.

Transitional

5.
 - (1) Expressions defined in the Insurance Canon or in Regulation I - Sickness and Accident and Maternity Leave Compensation Scheme have the same meaning when used in this section.
 - (2) Nothing in this Canon affects the validity of any action taken in reliance on the Insurance Canon or Regulation I before their repeal.
 - (3) Any direction, obligation or requirement given, made or created under the Insurance Canon in respect of a Responsible Person may be preserved or continued by regulation made by Archbishop-in-Council under the Diocesan Governance Canon.
 - (4) The Fund may be continued by regulation made by Archbishop-in-Council under the Diocesan Governance Canon.
 - (5) The Sickness and Accident and Maternity Leave Compensation Scheme may be continued by regulation made by Archbishop-in-Council under the Diocesan Governance Canon and in such case:
 - (a) the rights, benefits and obligations of Enrolled Members and Remunerating Bodies that have been created under Regulation I will be preserved and continue unaffected in the continued scheme despite the repeal of Regulation I; and
 - (b) the exercise of any powers and any decisions or determinations made by the Board of Management under Regulation I remain in full force and effect and will apply to any continuation of the Sickness and Accident and Maternity Leave Compensation Scheme,

Insurance Canon Repeal Canon 2019

unless, in each case, otherwise affected by a regulation made by Archbishop-in-Council under the Diocesan Governance Canon.

I certify that this copy of the Canon is in accordance with that passed by the Committee. }


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(Chairman of Committees)

I assent


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(Archbishop)


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(Date)