

DIOCESE OF ROCKHAMPTON
CHURCH INSTITUTIONS CANON 1997

Preamble

Whereas it is expedient to regulate the use of names and descriptions relating to the Anglican Church of Australia in the Diocese of Rockhampton BE IT THEREFORE DECLARED AND ESTABLISHED by the Bishop, Clergy and Laity of the Diocese of Rockhampton in Synod assembled as follows:

Short Title

1. This Canon may be cited as the “Church Institutions Canon 1997”.

Interpretation

2. In this Canon or in any regulation made pursuant to this Canon unless the context or subject matter otherwise requires or indicates –

“**Church Institution**” means a Society authorised pursuant to the provisions of this Canon to use the Church Name;

“**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 is a reference to this Church or an instrumentality of this Church;

“**Committee**” means the persons entrusted with the management of a Society whether described as a “Committee” or by any other word or words;

“**Constitution**” means and includes a constitution, memorandum and articles of association, rules, by-laws and any like documents relating to the formation, membership and objects of a Society;

“**Society**” means and includes any group of people society association company or organisation, whether incorporated or not.

Authorisations

3. The Bishop-in-Council may in accordance with this Canon authorise a Society to use the Church Name, and in so doing may apply conditions to such use, and until such authorisation is revoked in accordance with this Canon or is relinquished by the Society such Society shall be a Church Institution.

4. No member or group of members of this Church shall use the Church Name nor seek to have any incorporated body with which that member or group of members is in any way associated use the Church Name in connection with an activity carried on in this Diocese unless the authorisation provided for by this Canon has been given provided that no parish shall be required to seek any such authorisation to carry on the activities customarily carried on by parishes in this Diocese.

Aims and Objects of a Church Institution

5. (1) The aims and objects of a Church Institution shall be compatible with the aims, objects or welfare of this Church.
(2) The means of carrying out the aims and objects of a Church Institution shall be compatible with the aims, objects or welfare of this Church.

Constitution of a Church Institution

6. Subject to any law of the Commonwealth of Australia or the State of Queensland relating to incorporation of corporations, there shall be provision in the constitution of a Church Institution for one or more persons to be elected or appointed by the Synod or the Bishop or the Bishop-in-Council to the Committee of the Society and for the Bishop-in-Council to have:
 - (a) the right to hold enquiries into the conduct of the Society;
 - (b) the right to call for the production and inspection of all accounts and other necessary papers;
 - (c) the right to arbitrate and decide on any differences that may have arisen or may at any time arise between the officers or members of the Society.

Information Required

7. (1) A Society shall make application through its Committee to the Bishop-in-Council for authorisation to use the Church Name, and such application shall set forth and include –
 - (a) a copy of the constitution or proposed constitution of the Society certified as correct by the principal officer and the secretary thereof;
 - (b) the names of the persons then constituting the Committee;
 - (c) the manner and style in which it is desired to use the Church Name.
- (2) The Bishop-in-Council may require the Committee to provide such further and other information and particulars as it may deem necessary.

Alteration of Constitution

8. After an application by a Society has been granted pursuant to the provisions of this Canon, no alteration shall be made in the constitution thereof without the consent of the Bishop-in-Council first obtained.

No Liability Incurred by the Corporation

9. The Bishop-in-Council shall not by the grant of any authority under this Canon be deemed to have undertaken on behalf of the Corporation any liability incurred or to be incurred by the Society to which the authorization is granted.

Report to Synod

10. Each Society authorized under the provisions of this Canon to use the Church Name shall report to each annual session of Synod in such time as the Registrar may from time to time determine so that the report may be printed and circulated to members of Synod. The report shall contain such information as may be prescribed.

Other Societies Authorized

11. Any Society is deemed to be a Church Institution and to be authorized to use the Church Name while it is wholly or partly supported by grants from the funds of the Corporation made or authorized by the Synod, or the Bishop-in-Council, and while it presents a report and statement of accounts to the annual session of Synod.

Regulations

12. The Bishop-in-Council may from time to time make, amend or repeal such regulations not inconsistent with this Canon as may be considered necessary or expedient to give effect to this Canon.

Revocation of Authority

13. The Bishop-in-Council may at any time call upon the Committee of any Church Institution to show cause why the authority granted to it to use the Church Name should not be revoked and unless due cause is shown the Bishop-in-Council may revoke such authority.