

Appendix 1: Statutory Declaration for Board & Committee Members

Introduction

This declaration pertains to any person who seeks to be elected or appointed as a Diocesan appointee on any Board, Council, Entity, Agency or Committee related to the Diocese or Anglican Entity or Agency.

Instructions:

Please complete the *Statutory Declaration* and ask your Rector / Priest-in-charge or the relevant Chair of Board, Entity, Agency or Committee to witness it and then submit it with your nomination form to the Registrar (c/- GPO Box 1981 CANBERRA ACT 2601).

I(Name)

of(Address)

do solemnly and sincerely declare that:

1. This declaration is made in support of my nomination for election or appointment to a Diocesan Board or Committee.
2. I was born on
3. I declare that I am not:
 - a. an undischarged bankrupt; or
 - b. a prohibited person¹; or
 - c. a person who, if they were resident in NSW, would be a prohibited person; or
 - d. a person in respect of whom information has been entered on the National Register²; or
 - e. a person who has been convicted of an offence punishable by more than 10 years imprisonment; or
 - f. a person who has been convicted or found guilty of a sexual offence.

¹ A prohibited person is someone who is a registrable person as defined in the *Child Protection (Offenders Registration) Act 2000* or has been convicted of one of the following offences:

- murder of a child;
- serious sex offence, including carnal knowledge;
- child-related personal violence offence (an offence committed by an adult involving intentionally wounding or causing grievous bodily harm to a child);
- indecency offences punishable by imprisonment of 12 months or more;
- kidnapping (unless the offender is or has been the child's parent or carer);
- offences connected with child prostitution;
- possession, distribution or publication of child pornography; or
- attempt, conspiracy or incitement to commit the above offences.

² The National Register is a register established by a canon of the National Church containing details of complaints of sexual misconduct or child abuse made against clergy and lay people which have been made to, or dealt with by, a church body.

4. I have not ever engaged in any of the following conduct, even though never having been charged:
 - a. sexual contact with someone under my care other than my spouse (such as a parishioner, client, patient, student, employee or subordinate); or
 - b. sexual contact with a person under the age of consent; or
 - c. illegal use, production, sale or distribution of pornographic materials, or
 - d. conduct likely to cause harm to a child, young person or vulnerable adult, or to put them at risk of harm.
5. I have not had permission to undertake paid or voluntary work with children, young people or vulnerable adults refused, suspended or withdrawn in Australia or any other country.
6. I have not ever had an apprehended violence order, order for protection or the like issued against me as a result of allegations of violence, abuse, likely harm, harassment or stalking.
7. I further declare that I am not mentally incapacitated³.
8. I understand that checks may be made to verify the above and hereby give permission for any police checks that may be necessary.
9. If there are any changes in regard to the above I will notify the Bishop's Office.

And I make this declaration conscientiously believing it to be true and in accordance with the provisions of the Statutory Declarations Act 1959.

Signed at:..... thisday of..... year.....

Signature:

Witness:

Name: Signature:

Qualification:

Rector / Priest-in-charge/ Chair of Board, Entity, Agency or Committee:

Name: Signature:

NOTE:

In the event that you are not able to declare one or more items listed in the Statutory Declaration, please **CROSS OUT AND INITIAL** that item and then provide an explanatory note explaining the circumstances and status that causes you not be able to declare the item.

³ **Mental incapacity** means a person who has a **mental incapacity** within the meaning of the *Mental Health Act 2007* (NSW) or *Mental Health (Care and Treatment) Act 2004* (ACT) or a person who is a managed person within the meaning of Chapter 4 of the *NSW Trustee and Guardianship Act 2009* (NSW) or a person for whom a guardian has been appointed because the person has an impaired decision-making ability within the meaning of the *Guardianship and Management of Property Act 1991* (ACT);

Schedule 2—Persons before whom a statutory declaration may be made

(regulation 4)

Part 1—Occupations

Item	Occupation
101	Chiropractor
102	Dentist
103	Legal practitioner
104	Medical practitioner
105	Nurse
106	Optometrist
107	Patent attorney
108	Pharmacist
109	Physiotherapist
110	Psychologist
111	Trade marks attorney
112	Veterinary surgeon

Part 2—Other persons

Item	Person
201	Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
202	Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the <i>Consular Fees Act 1955</i>)
203	Bailiff
204	Bank officer with 5 or more continuous years of service
205	Building society officer with 5 or more years of continuous service
206	Chief executive officer of a Commonwealth court
207	Clerk of a court
208	Commissioner for Affidavits
209	Commissioner for Declarations
210	Credit union officer with 5 or more years of continuous service
211	Employee of the Australian Trade Commission who is: (a) in a country or place outside Australia; and (b) authorised under paragraph 3 (d) of the <i>Consular Fees Act 1955</i> ; and (c) exercising his or her function in that place
212	Employee of the Commonwealth who is: (a) in a country or place outside Australia; and (b) authorised under paragraph 3 (c) of the <i>Consular Fees Act 1955</i> ; and (c) exercising his or her function in that place
213	Fellow of the National Tax Accountants' Association
214	Finance company officer with 5 or more years of continuous service
215	Holder of a statutory office not specified in another item in this Part
216	Judge of a court
217	Justice of the Peace
218	Magistrate
219	Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the <i>Marriage Act 1961</i>
220	Master of a court
221	Member of Chartered Secretaries Australia
222	Member of Engineers Australia, other than at the grade of student
223	Member of the Association of Taxation and Management Accountants

224	Member of the Australian Defence Force who is:
	(a) an officer; or
	(b) a non-commissioned officer within the meaning of the <i>Defence Force Discipline Act 1982</i> with 5 or more years of continuous service; or
	(c) a warrant officer within the meaning of that Act
225	Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the Institute of Public Accountants
226	Member of:
	(a) the Parliament of the Commonwealth; or
	(b) the Parliament of a State; or
	(c) a Territory legislature; or
	(d) a local government authority of a State or Territory
227	Minister of religion registered under Subdivision A of Division 1 of Part IV of the <i>Marriage Act 1961</i>
228	Notary public
229	Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public
230	Permanent employee of:
	(a) the Commonwealth or a Commonwealth authority; or
	(b) a State or Territory or a State or Territory authority; or
	(c) a local government authority;
	with 5 or more years of continuous service who is not specified in another item in this Part
231	Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made
232	Police officer
233	Registrar, or Deputy Registrar, of a court
234	Senior Executive Service employee of:
	(a) the Commonwealth or a Commonwealth authority; or
	(b) a State or Territory or a State or Territory authority
235	Sheriff
236	Sheriff's officer
237	Teacher employed on a full-time basis at a school or tertiary education institution
238	Member of the Australasian Institute of Mining and Metallurgy