

## Bill No 12

**Mover: Archbishop Emeritus Philip Richardson / Seconder: Pīhopa Susan Wallace**

### **A Bill to Amend Title D Canon VI (Of Safe to Receive Testimonials), 2026**

**Whereas**, the General Synod/te Hīnota Whānui in 2020 passed Statute 753 repealing and amending parts of Title D 'Of Maintenance of Standards of Ministry for Bishops, Ministers and Office Bearers', including renumbering and amending Canon VI 'Of Safe to Receive Testimonials', and

**Whereas**, the decision of the Appeal Tribunal in X v The Anglican Church (27 March 2026) has identified areas in which Canon VI requires further refinement, and

**Whereas**, it is desired to refocus Canon VI around the question of fitness to hold office or to minister, to introduce a positive duty of candour on the sending Licensing Bishop/Pīhopa, to introduce a continuing obligation to update the receiving Licensing Bishop / Pīhopa where matters relevant to fitness come to light after the issue of Letters Testimonial, to update references to the Privacy Act 1993 to refer to the Privacy Act 2020, to provide a short form Safe to Receive certificate where a Minister is to officiate in another Episcopal Unit for an extended period without transfer of episcopal jurisdiction, and to provide a replacement Schedule giving effect to these amendments.

#### **The General Synod/Te Hīnota Whānui enacts as follows:**

- 1. Title.** The Title of this Statute is Title D Canon VI Amendment Statute, 2026.
- 2. Purpose.** To amend the existing Title D Canon VI.
- 3. Title D Canon VI is amended by:**
  - (a) replacing clause 1.1 with the words –
    - 1.1 In New Zealand information in such records is subject to the terms of the Privacy Act 2020.
  - (b) replacing clause 1.2 with the words –
    - 1.2 The information to be kept in such records shall contain adequate information of the relevant:
      - Name(s) of the person.
      - Details of ordination(s), and names of ordaining Bishop(s) (if known).
      - Ecclesiastical office(s) and / or appointment(s) held within the Diocese or Hui Amorangi, including relevant dates.
      - Any known previous ecclesiastical office(s) and / or appointments held, and relevant Diocese or Episcopal jurisdiction.
      - Details of any complaint received under Title D in respect of the person, including the manner in which the complaint was disposed of and any conditions, requirements or directions imposed.
      - Details of any condition, limitation or restriction currently attached to the person's ministry, licence or permission.

- Details of resignation(s), retirement, or other events relevant to office, appointment or jurisdiction.
  - Any other matter known to the Licensing Bishop / Pīhopa that is or may be relevant to the person's fitness to hold office or to minister.
- (c) replacing clause 3 with the words –
3. Letters Testimonial shall contain all relevant and applicable information kept pursuant to clause 1.2 of this Canon extracted from the records maintained in respect of the person making the request, together with any other information known to the Licensing Bishop / Pīhopa that is or may be relevant to the person's fitness to hold office or to minister in the receiving Diocese or Hui Amorangi. Letters Testimonial shall be signed by the Licensing Bishop / Pīhopa personally.
- (d) inserting, after clause 3, the following words as clauses 3A, 3B, 3C and 3D –
- 3A. In signing Letters Testimonial the Licensing Bishop / Pīhopa certifies that:
- (a) the information contained in the Letters Testimonial is, to the best of the Bishop's/Pīhopa's knowledge and belief, complete and accurate;
  - (b) save as expressly disclosed in the Letters Testimonial, no condition, limitation or restriction is currently attached to the person's ministry, licence or permission within the sending Diocese or Hui Amorangi; and
  - (c) save as expressly disclosed in the Letters Testimonial, the Licensing Bishop/Pīhopa is not aware of any matter that is or may be relevant to the person's fitness to hold office or to minister.
- 3B. A receiving Licensing Bishop/Pīhopa is entitled to rely on the completeness and accuracy of Letters Testimonial issued in accordance with this Canon. However, the receiving Licensing Bishop/Pīhopa may make such further enquiries of the sending Licensing Bishop/Pīhopa, or of the person, as the receiving Licensing Bishop/Pīhopa considers appropriate, having regard to the nature of the office, appointment or permission sought and the ministry to be exercised in the receiving Diocese or Hui Amorangi.
- 3C. Where, after the issue of Letters Testimonial and before the person ceases to hold any office, appointment or permission in the receiving Diocese or Hui Amorangi, the sending Licensing Bishop/Pīhopa becomes aware of any matter that is or may be relevant to the person's fitness to hold office or to minister and that was not included in the Letters Testimonial, the sending Licensing Bishop/Pīhopa must promptly advise the receiving Licensing Bishop/Pīhopa of that matter.

3D. Where a Minister who holds a licence or permission in one Episcopal Unit is to officiate in another Episcopal Unit for a period of more than one week, without seeking transfer of episcopal jurisdiction, any confirmation that the Minister is safe to receive given for that purpose (including for the purposes of Title A Canon II) shall be given by the Licensing Bishop / Pihopa of the sending Episcopal Unit in the short form set out in Part 2 of the Schedule, signed by the Licensing Bishop / Pihopa personally. Clauses 3A, 3B and 3C apply to a short form certificate as they apply to Letters Testimonial, save that the obligation in clause 3C continues only until the end of the period of officiating.

(e) replacing clause 5 with the words –

5. In New Zealand all information and records kept and maintained, and all Letters Testimonial issued, pursuant to this Canon shall be kept, maintained and issued in accordance with the provisions of the Privacy Act 2020, and in particular shall be in accordance with any obligations relating to confidentiality.

(f) replacing clause 6 with the words –

6. Nothing in this Canon is intended to operate to prevent or hinder the provision of a reference or evaluative or opinion material, provided that, in New Zealand, any such reference or other material is provided in a manner and form and for a purpose or use which is duly authorised in terms of the Privacy Act 2020.

(g) replacing the Schedule with the words –

**SCHEDULE**

**Part 1 — Letters Testimonial — Safe to Receive**

Confidential Report

To the Bishop/Pihopa of .....

I hereby certify that ....., who has signified to me a desire to be transferred to the Episcopal jurisdiction of the Bishop of the Diocese of ...../ Pihopa ki te Hui Amorangi ....., is a bishop / priest / deacon / Lay Licensed Minister in good standing in the Diocese of ..... / Hui Amorangi .....

**A. Information from the Bishop’s/Pihopa Register (Canon VI, clause 1.2)**

1. A copy of the information held in the records maintained pursuant to Canon VI clause 1.2 in respect of the above-named person is attached to this certificate.

**B. Conditions on Ministry**

2. Conditions, limitations or restrictions on ministry. I confirm that no condition, limitation or restriction is currently attached to the above-named person’s ministry, licence or permission to officiate, except as set out below.

Details of any condition, limitation or restriction (if applicable):

.....  
.....

**C. Fitness to Hold Office or to Minister**

- 3. Fitness to minister. I confirm that I am not aware of any matter that is or may be relevant to the above-named person’s fitness to hold office or to minister, except as set out below. Without limiting the generality of the foregoing, my answer takes account of:
  - (a) any complaint received under Title D in respect of the above-named person while under my jurisdiction, and the manner in which it was disposed of (including any conditions, requirements or directions imposed);
  - (b) any concerns regarding the above-named person’s conduct or behaviour in ministry that have not been the subject of a formal complaint under Title D;
  - (c) any matter known to me relating to the above-named person’s health or wellbeing that may affect the exercise of ministry in the receiving Diocese or Hui Amorangi;
  - (d) the circumstances of the above-named person’s departure from their most recent appointment or role in my Diocese or Hui Amorangi, where those circumstances may be relevant to fitness to minister; and
  - (e) any other matter I consider the receiving Bishop/Pīhopa should be aware of in order to make an informed decision regarding the grant of any licence, permission or appointment.

Details of any matter relevant to fitness to minister (if applicable):

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**D. Ministerial Development**

- 4. I note the following ministerial development plans (if applicable):

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**E. Certification and Updating Obligation**

- 5. I certify that the information contained in these Letters Testimonial is, to the best of my knowledge and belief, complete and accurate.
- 6. Subject to paragraph 2 above, I confirm that no condition, limitation or restriction is currently attached to the above-named person’s ministry, licence or permission to officiate.
- 7. Subject to paragraph 3 above, I confirm that I am not aware of any matter that is or may be relevant to the above-named person’s fitness to hold office or to minister.
- 8. I acknowledge the obligation in Canon VI clause 3C to advise the receiving Bishop / Pīhopa promptly of any matter that, after the issue of these Letters Testimonial and before the above-named person ceases to hold office, appointment or permission in the receiving Diocese or Hui Amorangi, comes to my attention and that is or may be relevant to that person’s fitness to hold office or to minister.

Witness my hand this ..... day of .....

Signed .....

Bishop of / Pīhopa ki Hui Amorangi .....

**Part 2 — Short Form Safe to Receive Certificate (Extended Officiating)**

Confidential Report

To the Bishop / Pīhopa of .....

I hereby certify that ....., who is to officiate in your Episcopal Unit for the period from ..... to ....., is a bishop / priest / deacon / Lay Licensed Minister in good standing in the Diocese of ..... / Hui Amorangi .....

1. I confirm that no condition, limitation or restriction is currently attached to the above-named person’s ministry, licence or permission to officiate, except as set out below.
2. I confirm that the above-named person is not currently the subject of any complaint or investigation under Title D, except as set out below.
3. I confirm that I am not aware of any matter that is or may be relevant to the above-named person’s fitness to officiate in your Episcopal Unit, except as set out below.

Details of any matter under paragraphs 1 to 3 (if applicable):

.....

4. I certify that the information contained in this certificate is, to the best of my knowledge and belief, complete and accurate, and I acknowledge the obligation in Canon VI clause 3D to advise you promptly of any matter coming to my attention before the end of the period of officiating that is or may be relevant to the above-named person’s fitness to officiate.

Witness my hand this ..... day of .....

Signed .....

Bishop of / Pīhopa ki Hui Amorangi .....

4. **Commencement.** This Statute shall come into force at the conclusion of this Session of the General Synod/te Hīnota Whānui.

**EXPLANATORY NOTE**

This Bill amends Title D Canon VI (Of Safe to Receive Testimonials) and is the second of two Bills proposing reforms to Title D in this round. It responds directly to the recommendations of the Appeal Tribunal in X v The Anglican Church (27 March 2026) and to a six-point direction agreed between the Honorary Legal Adviser to the General Synod and the Registrar.

The principal features of the Bill are:

- recasting clause 1.2 around the question of fitness to hold office or to minister, replacing the earlier emphasis on the “settlement” or “resolution” of an unsatisfactory conduct complaint;
- a duty of candour (clause 3A) on the sending Licensing Bishop / Pīhopa, including positive confirmation that no condition, limitation or restriction is attached to the person’s ministry except as disclosed, and positive confirmation that no other matter relevant to fitness is known except as disclosed;
- an express acknowledgement (clause 3B) that the receiving Licensing Bishop / Pīhopa may make further enquiries;
- a continuing obligation (clause 3C) on the sending Licensing Bishop / Pīhopa to update the receiving Licensing Bishop / Pīhopa where matters relevant to fitness come to light after Letters Testimonial are issued and before the person ceases to hold office, appointment or permission in the receiving Diocese or Hui Amorangi;
- a short form Safe to Receive certificate (clause 3D and Part 2 of the Schedule) for cases where a Minister is to officiate in another Episcopal Unit for more than one week without transfer of episcopal jurisdiction, complementing the amendments to Title A Canon II proposed in Bill 6;
- updating of Privacy Act references from the Privacy Act 1993 to the Privacy Act 2020 in clauses 1.1, 5 and 6; and
- a replacement Schedule that gives effect to the new clauses and that, consistent with the new clause 3, requires the Letters Testimonial to be signed by the Licensing Bishop / Pīhopa personally.

Amendments to Title D Canons I and III are dealt with in a separate Bill.