

Anglican Church of Australia - Diocese of Brisbane

RECORDS AND ARCHIVES CANON 1992

A Canon to regulate the keeping and preservation of the Records of the Church, to make provision for the Diocesan Archives, and for related purposes.

Be it declared and established by the Archbishop, Clergy and Laity of the Diocese of Brisbane in Synod assembled as follows -

Short Title

1. This Canon may be cited as the "Records and Archives Canon 1992".

Interpretation

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

"Committee" means the Diocesan Archives Committee as constituted by this Canon;

"Disposal" (in relation to Records) means the sale, transfer, destruction, abandonment of or otherwise doing away with, Records;

"Regulation" means a Regulation made pursuant to the provisions of this Canon.

Ownership of Records

3. (1) The Records of the Church are and shall be the property of The Corporation of the Synod of the Diocese of Brisbane.
- (2) All Records of the Church shall be dealt with in accordance with the provisions of this Canon and any Regulations made pursuant to this Canon.

Delivery of Records

4. (1) All Records of the Church which are or shall be not in use either for entry of events or for frequent reference by those with authority to make such entries or references shall be delivered up to the Registrar for acquisition by and preservation in the Diocesan Archives.

- (2) Where the information contained in any of the Records of the Church delivered up to the Registrar is written, stored or compiled by magnetic or optical means, the person delivering up the Records shall first cause the information to be accurately, completely and understandably transcribed into writing or printing on paper, and that transcription shall be delivered up as aforesaid with the original Records.
- (3) Any person who has the custody of or possesses any Records of the Church must, on demand from the Registrar, deliver them up to the Registrar in accordance with such demand.
- (4) Any person in whose custody the said Records of the Church are kept shall upon delivery of the same to the Registrar be discharged from any responsibility therefor.

Responsibility of Archbishop-in-Council

5. The Archbishop-in-Council shall in accordance with this Canon and subject to any general or special direction of the Synod be responsible for the adequate preservation and conservation of the Records acquired by the Diocesan Archives and for the general administration of the Diocesan Archives.

Committee constituted

6.
 - (1) There shall be a body called the "Diocesan Archives Committee" ("Committee") with the membership, objects, powers, functions and responsibilities set out in this Canon.
 - (2) The Committee shall consist of -
 - (a) the Registrar;
 - (b) the Treasurer;
 - (c) such persons as may from time to time be appointed by the Archbishop-in-Council (being at least three in number) to hold office until they -
 - (i) resign in writing addressed to the Archbishop and the resignation is accepted by him;
 - (ii) depart out of the Diocese with the intention of residing permanently outside the Diocese; or
 - (iii) are removed from membership of the Committee by the Archbishop-in-Council for any cause which may to the Council appear sufficient.
 - (3) The Chairman of the Committee shall be appointed by the Archbishop from those members of the Committee appointed by the Archbishop-in-Council, to hold office whilst a member of the Committee, or until the Archbishop appoints another person as Chairman.

Responsibilities of the Committee

7. The responsibilities of the Committee are to -
- (a) administer the Diocesan Archives in accordance with this Canon;
 - (b) regulate the acquisition, preservation, conservation and disposal of the Records of the Church, whether held in the Diocesan Archives or not, in accordance with such professional standards as are usually required of archives and archivists;
 - (c) assist the officers, departments and institutions of the Church in carrying out their duties, by facilitating access to records held in the Diocesan Archives;
 - (d) encourage and facilitate academic and scholarly research;
 - (e) advise the officers, departments and institutions of the Church in the creation, acquisition, preservation, conservation and disposal of the Records of the Church;
 - (f) regulate the acquisition, preservation, conservation and disposal of Records from private sources relevant to the activities of the Church;
 - (g) report the proceedings of each meeting of the Committee to the Archbishop-in-Council.

Registrar and Diocesan Archivist

8. (1) The Registrar shall be responsible for managing the Diocesan Archives under the direction of the Committee.
- (2) The Archbishop-in-Council on the advice of the Committee shall appoint a person, who may be a person on the staff of the Registry, to be Diocesan Archivist on such terms and conditions as may be agreed to by them.
- (3) The Diocesan Archivist shall be responsible to the Registrar in carrying out the day to day duties of Diocesan Archivist.
- (4) The Diocesan Archivist shall attend meetings of the Committee and be the Secretary of the Committee.

Disposal

9. The disposal of any Records of the Church, or of any other Records acquired by the Diocesan Archives, may be done only in accordance with such Regulations as may from time to time be in force pursuant to this Canon.

Regulations

10. (1) The Archbishop-in-Council may from time to time with the advice of the Committee make, amend or repeal Regulations not inconsistent with this Canon, providing for all or any of the purposes set out in this Canon: for example, rules regulating access, fees for research or storage, rules regulating disposal of records.
- (2) Regulations providing for access shall not be contrary to any law in force from time to time in the State, and in the case of Records other than Records of the Church shall not be contrary to any expressed direction given by or on behalf of any person who shall own or deposit such Records.

Amendment - Canons Interpretation Canon

11. Section 9 of the Canons Interpretation Canon is amended -
 - (a) by deleting from the definition of "Diocesan Archives" the word "Registrar" and by substituting therefor the words "Archbishop-in-Council";
 - (b) by deleting the definition "Records of the Church" and by substituting therefor the following definition -

"Record' means a document (including any written or printed material) or object (including a sound-recording, coded storage device, magnetic tape or disc, microfilm, photograph, film, map, plan or model or a painting or other pictorial or graphic work) and in relation to the Church includes -

 - (a) a record brought into existence by the Church or at the direction of the Church or with the authority of the Church as a record for present or future reference;
 - (b) a matter or thing kept by the Church or with the authority of the Church as a record of its activities or consequent upon a function power or duty to keep records;

and 'Record of the Church' has a like meaning."

Amendment - Licensing of Clergy Canon

12. The Licensing of Clergy Canon is amended by inserting the following section after section 5 -

"Records to be kept

 - "6. Clergy who hold the Archbishop's licence to any special charge or cure or who perform any spiritual duty or service within the Diocese are to keep and have the custody of such Records as a Parish Priest is from time to time required to keep pursuant to the Parishes Regulation Canon, as may be appropriate to the special charge or cure or to the spiritual duty or service performed."

Amendment - Synod Canon

13. The Synod Canon is amended by repealing sections 18 and 19.

NOTES

1. The *Records and Archives Canon 1992* was assented to on 25 June 1992.
