

Memo

To: Parishes of NSPEI Diocese Located in Nova Scotia
From: Canon Gordon Redden, Diocesan Executive Director
Date: July 3, 2015
Re: The Nova Scotia *Volunteer Protection Act*

We are writing to provide clarification to you respecting the application of the Nova Scotia *Volunteer Protection Act* to Parishes and the Diocese.

This provincial legislation provides volunteers with personal protection from claims for damages for harm allegedly caused by volunteers who are acting within the scope of specific positions in non-profit organizations, and who are not acting illegally, recklessly or grossly negligently, or under the influence of drugs or alcohol.

A question was raised about this Act in the course of the SafeR Church project this year, and research into the Act indicates that volunteers in Nova Scotia acting on behalf of Parishes and/or the Diocese are **not covered** by its protection because neither Parishes nor the Diocese fall within the Act's definition of a "non-profit organization."

Under the NS *Volunteer Protection Act*, a "non-profit organization" is defined as "any non-profit body corporate or society incorporated under the *Societies Act*" The corporation of the Diocesan Synod of Nova Scotia and Prince Edward Island and the Anglican Parishes of Nova Scotia are incorporated under different pieces of legislation, the NS *Anglican Church Act* (actually a number of Acts of the same name) and not under the NS *Societies Act*. Therefore, individuals in Nova Scotia who volunteer for Anglican Parishes in the province and/or for the Diocese are not currently protected by the Act. We would ask that you make your parishioners aware of this information. It is important that people do not simply assume that because they are volunteers they are protected by the Act.

There is, however, a possibility that this situation can be changed. A number of organizations that are not incorporated under the *Societies Act* have successfully petitioned the Government of Nova Scotia to have their organizations recognized as organizations to which the Act applies, and the Diocese is taking steps to do the same. We will keep you apprised of our progress in this effort. If you have any questions, please contact The Reverend Canon Gordon Redden, Diocesan Executive Director (gredden@nspeidiocese.ca or phone 902-420-0717).

Gordon Z Redden