

CANON 40
INDEMNIFICATION

1. Subject to the provisions of any applicable legislation, the Incorporated Synod of the Diocese of Toronto (the "Diocese") shall indemnify every Bishop, Coadjutor Bishop, Suffragan Bishop, Assistant Bishop (hereinafter collectively called a "Bishop"), every former or retired Bishop, every officer, dignitary and employee of the Diocese and every person who is elected or appointed to any committee or sub-committee or undertaking of the Diocese ("Appointees") or who acts as a trustee for the Diocese or acts as a trustee for any members of the Diocese in their capacity as such (including all former officers, dignitaries, employees, Appointees and trustees), and his or her respective heirs or legal representatives, from and against all costs, damages, charges and expenses, including any amount paid to settle an action or to satisfy a judgement, reasonably incurred by him or by her in respect of any civil, criminal or administrative action or proceeding to which he or she is made a party by reason of being or having been a Bishop, officer, dignitary, employee, Appointee or trustee of the Diocese if:
 - (a) he or she acted honestly and in good faith with a view to the best interests of the Diocese, its Clergy and laity and the advancements of the Reign of God; and,
 - (b) in the case of a civil, criminal or administrative action or proceeding that is enforced by a monetary penalty, if he or she had reasonable grounds for believing that his or her conduct was lawful in the circumstances.
2. The Diocese shall also indemnify any such person in such other circumstances as the law permits or requires.
3. Nothing in this Canon shall limit the right of any person entitled to indemnity hereunder to claim indemnity apart from the provisions of this Canon to the extent permitted by law.
4. The Diocese may also purchase insurance for the benefit of all persons intended to be indemnified hereunder.