
*Diocesan Retirements (Validation) Amendment
Ordinance 1979*

No. 39, 1979

AN ORDINANCE to amend the Diocesan Retirements Ordinance 1969-1975 with respect to the power to revoke certain licences and other matters.

WHEREAS doubts have arisen concerning the provisions of the Diocesan Retirements Ordinance 1969-1975 (hereinafter referred to as the "Principal Ordinance") **AND WHEREAS** it is desirable that the provisions of the Principal Ordinance be amended in order to remove those doubts and deal with other matters **NOW** the Synod of the Diocese of Sydney **HEREBY ORDAINS DIRECTS DECLARES AND RULES** as follows:—

1. The Principal Ordinance is amended:—
 - (a) By inserting the following sentence at the commencement of clause 2(ii):—
"In the case of the Archbishop, the Synod or the Standing Committee thereof may extend the time for retirement but not beyond the age of 71 years."
 - (b) By inserting the following sentence at the end of clause 2(iii):—
"A Clergyman who is the Rector of a Parish in which a Provisional Cathedral is situated and who is a Canon of that Provisional Cathedral, shall retire from the office of Canon on that Clergyman ceasing to be the Rector of that Parish, provided that, subject to the provisions of this Ordinance, he shall be entitled to be re-appointed a Canon of that Provisional Cathedral."
 - (c) By deleting from clause 2(iv) the words "shall be given an opportunity to show cause why his licence should not be revoked upon his attaining the age of 65 years or such extension of time as may be given pursuant to the provisions of this Ordinance. Such clergyman may then" and inserting instead the word "may".
 - (d) By inserting the following sentence after the first sentence of clause 13:—
"The Board shall also meet, at the request in writing of the Archbishop or of an Assistant Bishop, to consider whether it is appropriate that a Clergyman who has not made an application in accordance with the provisions of this Ordinance for an extension of retirement age should retire from the office to which he is licensed."
 - (e) By deleting from clause 14 the words "Archbishop (or his nominee)" and inserting instead the word "Board".
 - (f) By inserting after words "due to retire" in clause 14, the following words:—
"but, in the case of a clergyman, prior to the date on which the requirement in sub-paragraph (ii) of paragraph (a) of clause 17 is satisfied in relation to him".

*Diocesan Retirements (Validation) Amendment
Ordinance 1979*

- (g) By deleting from clause 16 the words "who shall thereupon extend or otherwise deal with the licence of the person concerned according to such recommendation".
- (h) By inserting after clause 16 the following clause:—
"17. Where in relation to a Clergyman (other than an Archdeacon or the Dean) licensed after the 16th of October 1969 —
- (a) he being a Clergyman licensed after the 16th of October 1969 —
- (i) has attained the age of 65 years; and
 - (ii) has not made an application in accordance with the provisions of this Ordinance for an extension of retirement age but the Board has expressed its opinion that it is appropriate for the Clergyman to retire from the office to which he has been licensed; and
 - (iii) has been given an opportunity to show cause why his licence should not be revoked upon his attaining that age; or
- (b) he being a Clergyman described in sub-paragraph (i) of paragraph (a) of this clause:—
- (i) has been granted one or more extensions of retirement age in accordance with the provisions of this Ordinance;
 - (ii) has not made an application in accordance with the provisions of this Ordinance for a further extension in respect of the extended or last extended retirement age, as the case may require; and
 - (iii) has been given an opportunity to show cause why his licence should not be revoked upon his attaining the extended or last extended retirement age, as the case may require;
- the Archbishop may revoke the licence of that Clergyman."
- (c) by re-numbering clause 17 as clause 18.

2. (1) This Ordinance may be cited as the "Diocesan Retirements (Validation) Amendment Ordinance 1979".

(2) The Principal Ordinance as amended by this Ordinance may be cited as the "Sydney Diocesan Retirements Ordinance 1969-1979" and clause 18 of the Principal Ordinance is amended accordingly.

I certify that the Ordinance as printed is in accordance with the Ordinance as reported.

E. D. CAMERON,
Chairman of Committees.

*Diocesan Retirements (Validation) Amendment
Ordinance 1979*

We certify that this Ordinance was passed by the Synod of the Diocese of Sydney on the fourth day of October 1979.

R. J. BOMFORD,
W. G. S. GOTLEY,
Secretaries.

I assent to this Ordinance.

M. L. LOANE,
Archbishop of Sydney.

4/10/1979.