

---

AS PASSED.

TITLE.

*An Ordinance to provide for Pensions to Clergymen Superannuated.*

PREAMBLE.

WHEREAS it is expedient to provide a fund for the partial support of Clergymen permanently incapacitated by age or infirmity for the continued due discharge of their functions and to make Rules for the management of such Fund The Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Constitutions of the Church within the Colony of New South Wales doth hereby ordain as follows :—

*Superannuation Fund how to be Raised.*

1. In order to provide means for the payment of Pensions to the Clergy as far as its amount from time to time may admit a Fund shall be established to be called The Superannuation Fund which shall be under the management of Trustees as hereinafter provided. Every Clergyman now or hereafter licensed to the cure of Souls and every licensed Curate in the Diocese of Sydney who shall sign an undertaking in the form contained in Schedule "A" to this Ordinance shall become a subscriber to that Fund and shall pay to the Treasurer thereof the annual sum of Five Pounds the same to be paid in equal quarterly payments in advance until Death Superannuation permanent removal from the Diocese, resignation or disqualification.

*Contributions to Fund.*

2. Each Parish or Parochial District shall be liable to contribute annually at the least the sum of Eight Pounds for every Clergyman licensed as aforesaid in such Parish or District and the same may be raised by subscription collection or otherwise and the amount thus raised shall be payable to the said Treasurer on or before Easter Tuesday.

*Clergyman failing to subscribe.*

3. Any Clergyman now or hereafter eligible to subscribe to the Superannuation Fund who shall fail to do so for more than twelve months from the date on which he is or may become eligible, shall afterwards only be allowed to become a Subscriber thereto at the option of the Trustees, and then only on payment of an entrance fee of ten pounds.

*Investment of Fund and payments thereout.*

4. One-fifth of the entire receipts in each year on account of the Superannuation Fund shall be invested at interest and compound interest until the month of June 1897 under the appellation of The "Superannuation Reserve." Such Reserve shall not under any circumstances be drawn upon until that date. The remaining four-fifths of the annual receipts shall after payment of expenses incurred in the management of the Funds be invested at like interest until the month of June 1887 after which date such four-fifths of the annual receipts and the interest on the accumulated fund (the superannuation reserve excepted) shall be available for the payment of Pensions as set forth in the Schedule hereto. Any surplus after meeting such claims and expenses shall be invested at interest. After the said month of June 1897 the interest from the Reserved Fund shall also be so available.

*Clergy Special Fund.*

5. A Special Fund to be called the Clergy Special Fund shall be established from special Donations and Legacies received toward such Fund the receipts in each year from such Special Donations and Legacies shall until the month of June 1887 be invested at interest under the appellation of The "Clergy Special Fund" and the interest arising therefrom until that date may be applied towards the support of any Superannuated Clergymen who are subscribers to the Superannuation Fund in such sums and mode as the Bishop with the concurrence of the said Trustees or a majority of them may direct. After such date the Special Fund so created shall be transferred to and thenceforth form part of the general Superannuation Fund.

*Allowance after lapse of Special into General Fund.*

6. Any Clergyman in receipt of an allowance from the Clergy Special Fund shall, after the same lapses into the General Fund, receive from such General Fund the like amount of allowance, provided that in no case shall such amount exceed £50 per annum.

*Management of Fund Trustees how appointed.*

7. The Management of the Superannuation Fund and the Reserve and Special Funds shall be vested in seven Trustees three being clergymen and four lay members to be elected by the Synod. Of such seven

Trustees one Clerical and one Lay Member shall retire annually in the first place in alphabetical order and subsequently in the order of seniority of election but may (both or either) be re-elected. One Member shall annually be appointed by the Trustees to act as Treasurer. All or any of the Trustees for the time being may in any Session be removed by a vote of Synod. All vacancies at any time occurring in the number of the Trustees shall be filled up by the continuing Trustees. Any person so appointed (Trustee shall remain in office only until the next election of Trustees by the Synod at the then or next sitting of the Synod. One Clerical Trustee and two Lay Trustees shall for all purposes form a quorum at meetings of the Trustees.

*Disposal of Monies.*

8. All monies coming into the hands of the Trustees under this Ordinance shall forthwith be paid into a Bank to the credit of the Trustees of the Clergyman's Superannuation Fund and as early as practicable thereafter shall be invested in Government securities in deposits in Savings or Joint Stock Banks of this Colony or in first mortgages on Sydney freehold properties and in such other manner as the Synod may from time to time authorise.

*Trustees to Report, &c.*

9. The Trustees shall annually present a report on the state of the Funds to the Synod in addition to which a careful investigation of and report upon its state and probable efficiency shall be made every fifth year and the Trustees shall have power to call in the aid of a professional actuary at the expense of the Fund to assist them in that duty.

*Clergyman applying to be Superannuated.*

10. Whenever a Clergyman being a subscriber to the Superannuation Fund desires on account of age or bodily or mental infirmity to be released from his duties he may send to the Bishop an application in writing to be superannuated. The Bishop if satisfied as to the sufficiency of the grounds of such application shall declare such Clergyman superannuated and thereupon if such Clergyman has been a Subscriber under this Ordinance for ten years or upwards and shall have duly paid all sums payable by him as such subscriber the Bishop with the concurrence of the Trustees or a majority of them shall assign to him a Pension according to the scale specified in the schedule hereto.

*Churchwardens applying for Superannuation of Clergymen.*

11. Whenever the Churchwardens in any Parish or Parochial District are of opinion that their Clergyman is permanently incapacitated by age or bodily or mental infirmity for the continued discharge of his duties they may send to the Bishop a representation in writing to that

effect together with an application for the superannuation of such Clergyman The Bishop after notice to the Clergyman of such representation if satisfied of the sufficiency of the grounds of such application shall declare such Clergyman superannuated and thereupon if such Clergyman has been a subscriber under this Ordinance for 10 years or upwards and shall have duly paid all sums payable by him as such subscriber the Bishop with the concurrence of the Trustees or a majority of them shall assign to such Clergyman a pension according to the scale specified in the Schedule hereto.

*Deficiency in funds provided for.*

12. If at any time the funds available for the payment of pensions under this Ordinance shall be insufficient for the payment in full of the sums specified in the schedule hereto annexed, each recipient of a superannuation allowance thereunder shall only be entitled to his proportionate share of the funds which may be so available. Any deficiencies in payments arising from this cause may however be paid up by the Trustees when in their opinion the position of the Superannuation Fund will justify them in doing so.

*Clergyman dying before receiving a year's pension.*

13. In case any Clergyman subscribing to the Fund shall die before Superannuation or before he has received one year's Pension leaving a Widow or any child under the age of Eighteen years there shall be returned to his legal representative all subscriptions paid by the deceased.

*Clergyman removing, &c.*

14. Any Clergyman who shall remove permanently from the Diocese or resign or become incapacitated before he has become entitled to a pension under this Ordinance or be disqualified from acting as a Clergyman by competent authority shall be entitled to receive back the amount of all subscriptions paid by him to the Fund.

*Donations and Legacies.*

15. All donations and legacies received under this ordinance shall be appropriated to the Clergy Special Fund unless otherwise designated by the donors or devisors of the same.

*Power to make Rules.*

16. The Trustees may make such Rules from time to time for their guidance and for regulating the time and mode of payment of moneys to and by their Treasurer as may be found necessary such Rules not being repugnant to this Ordinance All such Rules shall be reported to the next session of Synod which shall have power to confirm reverse or alter the same.

*Repeal of previous Ordinance.*

17. The Ordinance respecting Superannuation Allowances or Pensions to Clergymen passed in the year 1873 is hereby repealed.

*Short Title.*

18. This Ordinance shall be known as the "Superannuation Ordinance of 1876."

*Schedule of Pensions.*

Clergymen having paid ten years Subscriptions or more and having been duly Superannuated under this Ordinance shall receive Pensions as follows :—

Subscribers of 10 years £50 per annum.

Increasing £3 per annum up to 20 years and £4 per annum after 20 years.

SCHEDULE A.

I, the undersigned do hereby agree with the Trustees for the time being of the Fund established under "The Superannuation Ordinance of 1876" to be bound by, and in all respects to conform to the provisions of the said Ordinance and to make all payments required by the said Ordinance to be made by Clergymen at the times and in manner therein provided.