

## (APPENDIX—No. VI.)

## SECOND SYNOD, SESSION IV.

## ORDINANCE.

*An Ordinance to provide for the Superannuation of Clergymen permanently incapacitated by age or by bodily or mental infirmity for the cure of Souls.*

*Preamble.*

WHEREAS it is expedient to provide for the Superannuation of Clergymen permanently incapacitated by age or by bodily or mental infirmity for the cure of souls, the Synod of the Diocese of Sydney, in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the United Church of England and Ireland, within the colony of New South Wales, ordains and rules as follows:—

*Clergymen applying to be Superannuated.*

1.—If a clergyman having the Cure of Souls in any parish or parochial district, and being desirous on account of age or of any bodily or mental infirmity to be relieved from the duties of such cure, shall send to the Registrar in the form set forth in schedule *A* hereto, an application to be superannuated, it shall be competent for the Bishop, with the concurrence of the Standing Committee of the Synod of the Diocese, upon being satisfied of the sufficiency of the grounds of such application, and with the consent of the majority of the Churchwardens of the Church or Churches in such Parish or Parochial District, and of a majority of the residents in such Parish or District being communicants, to declare such Clergyman superannuated and the Cure vacant, and to assign to him a stipend, which shall be in amount equal to one-third of the average annual stipend of such Clergyman during the previous five

years, of which a portion to be determined by the Bishop and the Standing Committee shall be paid from the annual income of a Fund provided for the purposes of this Ordinance, and the residue shall be a pecuniary charge upon the local funds of such Parish or Parochial District.

*Parishioners applying for Superannuation of Clergymen.*

2.—If the Churchwardens or a majority of them of the Church or Churches in any Parish or Parochial District, and having the sanction of a majority of the residents in such Parish or District being communicants, shall concur in the opinion that the Clergyman having the cure of souls in such Parish or Parochial District has become permanently incapacitated by age or by bodily or mental infirmity for the fulfilment of the duties of such Cure, and shall send to the Registrar in the form set forth in schedule *B* hereto, an application for the superannuation of such Clergyman, it shall be competent for the Bishop, with the concurrence of the Standing Committee, upon being satisfied of the sufficiency of the grounds of such application, to declare such Clergyman superannuated, and the Cure vacant, and to assign to such Clergyman a pension which shall be in amount equal to one-third of the average annual stipend of such Clergyman during the previous five years, of which a portion, to be determined by the Bishop and the Standing Committee, shall be paid from the annual income of the Fund hereinbefore mentioned, and the residue shall be a primary charge upon the local funds of such Parish or Parochial District.

*No Clergyman to be declared Superannuated until Fund formed.*

3.—Provided that it shall not be competent for the Bishop to declare a Clergyman superannuated and a Cure vacant under the provisions of this Ordinance, until there shall have been formed a Fund, under the control of the Bishop and the Standing Committee applicable to the purposes of this Ordinance, and unless in each case due payment can be guaranteed out of the Annual income of the said Fund of the portion of the pension, to be assigned as hereinbefore mentioned, which shall be directed to be paid out of such annual income.

*Short Title.*

4.—This Ordinance may be cited as the "Superannuation Ordinance of 1873."

*Schedule A.*

I. A. B., Clergyman having Cure of souls in the Parish or Parochial District of \_\_\_\_\_, and being desirous on account of (here state the grounds of application) to be relieved from the duties of my cure, do hereby apply to be superannuated, under the Superannuation Ordinance of 1873.

*Schedule B.*

We, A, B, C, being the majority of the Churchwardens of the Church or Churches in the Parish or Parochial District of \_\_\_\_\_, having the

sanction of a majority of the residents in the said Parish or District, being communicants, concur in the opinion, that the Rev. \_\_\_\_\_, having the Cure of Souls in the said Parish or Parochial District, has become permanently incapacitated by (here state the ground of application) from the fulfilment of the duties of his cure, and do hereby apply that he be superannuated under the Superannuation Ordinance of 1873.

*I certify that this Ordinance was passed by the Synod on the 18th day of June, A.D. 1873.*

H. A. PALMER,  
*Secretary to the Synod.*

*I hereby signify my assent to this Ordinance. Assented to June 20th, A.D. 1873.*

F. SYDNEY.

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