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AS PASSED.

TITLE.

*Ordinance for regulating the appointment of Clergymen to the Incumbency of Parishes and Ecclesiastical Districts within the Diocese of Sydney.*

WHEREAS it is desirable to regulate the appointment of Clergymen to the Incumbency of Parishes and Ecclesiastical Districts within the Diocese of Sydney. 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 :—

*Synod to elect Nominators.*

1.—Immediately after the passing of this Ordinance and during the first Session of every new Synod one Clergyman and one Layman being respectively members of the Synod and residents in the Diocese shall be elected by the Clergy and Lay Representatives voting collectively to be Nominators for the purpose of this Ordinance to be called the Synod Nominators and to continue in office until fresh members thereof qualified as aforesaid shall be elected and any vacancy which may occur in the number of Synod Nominators shall within two (2) months after the occurring of such vacancy be filled up by the Synod if in Session or by the Standing Committee of the Synod if the Synod shall not be in Session. The member so elected to be and remain a member only till the meeting of the then next Session of Synod.

*Parishes may determine in whom appointment of Clergyman to be vested.*

2.—At any meeting held in any Parish or Ecclesiastical District sufficiently constituted for the election of Representatives to the Synod, the electors present may if they desire so to do, determine whether in the event of a vacancy occurring in the Incumbency of the said Parish or District the appointment of the Clergyman shall vest absolutely in the Bishop or whether the Synod Nominators and Nominators to be elected by the Parish or District in manner hereinafter mentioned shall have the right of presentation to the Bishop as hereinafter provided. And the Chairman of the Meeting shall communicate such determination to the Bishop and the said determination shall be binding on the Parish or District until the next Meeting for electing Representatives to a new Synod. But if the Electors at any such Meeting shall not determine as aforesaid then the right of appointment in the event of a vacancy so occurring as aforesaid shall be vested in the Bishop.

*Board of Nominators constituted on Election by Parish of Nominators.*

3.—If the electors at the said Meeting shall determine that the right of presentation of the Clergyman shall so vest in a Board of Synod Nominators and Nominators to be elected by the Parish or District as hereinbefore provided then the electors shall at the said Meeting by a majority of votes elect three persons being communicants and resident within the Diocese who shall be designated Elected Nominators of the Parish or District and who when a vacancy in the Incumbency of the parish or district shall occur as hereinbefore mentioned shall together with the Synod Nominators be and constitute and act as a Board of

Nominators for the said Parish or District for the purposes hereinafter specified. The Chairman of the said Meeting shall communicate to the Bishop the names of such elected Nominators.

*Duration of office of Elected Nominators of Parish, and how Vacancies to be filled up.*

4.—The elected Nominators of the said Parish or District shall continue in office until the next meeting for the election of Representatives to a new Synod and if in the meantime any vacancy or vacancies shall be caused among the said elected Nominators by death resignation or absence from the Colony (an absence from the Colony for six months being held to create a vacancy) the surviving or other elected Nominator or Nominators shall appoint some person or persons duly qualified as hereinbefore mentioned to fill up such vacancy or vacancies. But if any vacancy shall not be filled up within two months after the same shall occur the right of filling up such vacancy shall vest in and be exercised by the Standing Committee of the Synod.

*Presentation in case of Vacancy.*

5.—In the event of a vacancy occurring in the Incumbency of a Parish or District which has determined that the right of presentation shall so vest in the Board of Nominators as hereinbefore mentioned the Bishop shall cause the Board of Nominators to be informed of such vacancy and the said Board (a majority of the members of the Board being deemed to be the Board) shall then without delay present to the Bishop a duly ordained clergyman being in the Holy Order of Priesthood to be appointed by the Bishop to the said Incumbency and the Bishop shall appoint and license such Clergyman to the said Incumbency unless he shall be satisfied that there is good and sufficient reason for refusing to accept the presentation so made to him as aforesaid.

*If the Bishop refuse to appoint, a fresh presentation may be made.*

6.—If the Bishop shall deem it right to refuse to accept any presentation made to him by the said Board of Nominators he shall with as little delay as possible inform the said Board thereof and the said Board shall thereupon be entitled to make *toties quoties* a further presentation or presentations. Provided that if within two months after such refusal or refusals has or have been notified to the said Board, no further presentation shall have been made by the said Board, then the right of presentation shall be held to have lapsed to the Bishop.

*Right of presentation given to persons building and endowing Churches.*

7.—In any Parish or Ecclesiastical District in which a person being a Member of the United Church of England and Ireland shall at the cost of such person build a Church to the satisfaction of the Bishop or shall

endow a Church with a stipend of at least three hundred pounds a year and with a residence for the Clergyman the right of the first presentation of a Clergyman to the Incumbency of the said Church shall if such person so desire vest in the person so building or endowing as aforesaid. And if any such person shall both build and endow a Church as aforesaid the right of presentation so often as a vacancy may occur during the life of such person shall if such person so desire vest in the person so building and endowing as aforesaid. Provided that the several provisions hereinbefore contained as to presentations by a Board of Nominators shall apply to presentations made by any person acting under the terms of this section.

*Cases to which this Ordinance shall apply.*

8.—The provisions of this Ordinance so far as they relate to the exercise of the right of presentation shall apply only and subject to any right acquired under the last preceding section to any Parish or Ecclesiastical District in which provision is made from local sources for securing to the Clergyman a stipend of at least three hundred pounds per annum together with a suitable residence. And in all cases not falling within the provisions of this Ordinance and until the said provisions shall come into operation the right of appointment of Clergymen to the Incumbency of Parishes and Churches shall vest in the Bishop.

*Repeal.*

9.—The Ordinance intituled "Presentation of Clergymen Ordinance of 1869" is hereby repealed.

*Short Title.*

10.—This Ordinance may be cited as the "Presentation Ordinance of 1876."

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