
Sydney Diocesan Retirements Ordinance 1969

No. 43, 1969

AN ORDINANCE, to provide for the retirement of certain persons, to establish a Diocesan Retirements Board and purposes incidental thereto.

WHEREAS it is expedient that provision be made for the retirement of certain persons in the Diocese of Sydney upon their attaining an age as hereinafter respectively set out but with provision for postponement of retirement in certain circumstances AND WHEREAS it is expedient that a board be established or constituted for the purpose of considering in certain cases postponement of the age of retirement NOW 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 Church of England in Australia within the State of New South Wales HEREBY ORDAINS DIRECTS DECLARES AND RULES as follows:—

INTERPRETATION

1. "Archbishop" means the Archbishop of Sydney.
"Archdeacon" means an Archdeacon having territorial jurisdiction in the Diocese.
"Bishop Coadjutor" means a Bishop Coadjutor in the Diocese.
"Board" means the Diocesan Retirements Board as constituted by this Ordinance.
"Deaconess" and "Parish Sister" mean a Deaconess and Parish Sister respectively licensed by the Archbishop for work in the Diocese.
"Diocese" means the Diocese of Sydney.
"Parish" includes a Provisional Parish, Provisional District and New Housing District.
"Parochial Clergy" means clergymen licensed to a separate cure of souls in a Parish in the Diocese.

RETIREMENTS

2. (i) Subject as hereinafter provided the retirement of the following persons shall take effect upon their attaining the age indicated herein in respect of each person or group of persons:—
 - (a) The Archbishop and Clerical Canons of St. Andrew's Cathedral and any other Cathedral or Provisional Cathedral in the Diocese at 70 years.
 - (b) Bishops Coadjutor, Archdeacons, the Dean of St. Andrew's Cathedral and Parochial Clergy at 65 years.
 - (c) Deaconesses and Parish Sisters at 60 years.
- (ii) In the case of a Bishop Coadjutor or Archdeacon the Archbishop and the Standing Committee may extend the time for retirement as they may determine up to but not beyond the age of 70 years without reference to the Board.

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- (iii) In the case of the Dean of St. Andrew's Cathedral the Archbishop and St. Andrew's Cathedral Chapter may extend the time for retirement as they may determine up to but not beyond the age of 70 years.
 - (iv) In the case of any Parochial Clergyman licensed after this Ordinance comes into force such Clergyman 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 make application for an extension of retirement age to the Board which shall consider and make its recommendation thereon pursuant to the provisions in that behalf hereinafter set out.
 - (v) Any Deaconess or Parish Sister may make application to the Board for an extension of the retiring age in accordance with the provisions hereinafter set out.
3. Notwithstanding anything contained in this Ordinance a clergyman over the age of 65 years and a Deaconess or Parish Sister over the age of 60 years may be licensed to such position in the Diocese (not being a separate cure of souls) as the Archbishop may determine.
 4. Nothing in this Ordinance shall have the effect of superseding any existing arrangement made with any person holding the office of Archbishop, Bishop Coadjutor, Archdeacon, or Dean of St. Andrew's Cathedral.
 5. The retirement provisions of this Ordinance shall not apply to the retirement of any person from any office held by him at the time this Ordinance comes into force.
 6. A Clerical Canon shall upon reaching his retirement age be given the title of "canon emeritus".

DIOCESAN RETIREMENTS BOARD

7. There shall be a retirements board known as the Diocesan Retirements Board.
8. The Board shall consist of five clergymen in priests orders holding the Archbishop's licence and being members of Synod, five laymen, being members of Synod, and a chairman and an alternate chairman (being Bishops Coadjutor nominated by the Archbishop).
9. The first appointment of the members of the Board shall be made by the Archbishop-in-Council within three months after the date of assent given to this Ordinance and thereafter appointment shall be made by the Archbishop-in-Council within three months after the first session of each Synod. Members of the Board shall hold office until the next succeeding appointment.
10. A member of the Board shall be deemed to have vacated office:—
 - (a) Upon attaining the age of 70 years;
 - (b) If he dies, resigns, or is absent from the State for a period of three months without leave of absence;

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- (c) If the Archbishop certifies that in his opinion the said member is incapable of performing his duties as a member of the Board;
 - (d) If he ceases to be a member of Synod or in the case of a clerical member to hold the Archbishop's licence.
11. Occasional vacancies on the Board shall be filled by the Archbishop-in-Council.
 12. The Board shall make recommendations to the Archbishop regarding extensions of service:—
 - (a) for Parochial Clergy of the age of 65 years and over; and
 - (b) for Deaconesses and Parish Sisters of the age of 60 years and over.Provided that any such extensions of service shall not be granted to clergymen who have attained the age of 70 years or to Deaconesses or Parish Sisters who have attained the age of 65 years.
 13. The Board shall meet upon the request in writing of the person requiring an extension of service and the chairman (or alternate chairman) thereupon shall convene a meeting of the Board within three months from the date such request is received. A quorum shall consist of the Chairman (or alternate chairman) and two clerical and two lay members provided that no person whose case is under consideration may act as a member of the Board.
 14. Any request for an extension of service must be made in writing to the Archbishop (or his nominee) by the Clergyman or Deaconess or Parish Sister concerned and such request must be made no later than one calendar month before the person concerned is due to retire provided that the Board may in its discretion accept as adequate any period less than one month. Having fulfilled this requirement the person concerned shall continue in office for a period of up to three months after such retirement date and the Board shall be called to meet during this period.
 15. Upon receipt of a request for extension of service the Board shall meet as aforesaid and for the purpose of receiving evidence shall summon in writing the person concerned (who shall be heard in his or her own behalf) the churchwardens of the parish and such other persons as it may deem necessary.
 16. The Board shall deliver its recommendations to the Archbishop who shall thereupon extend or otherwise deal with the licence of the person concerned according to such recommendation. The Board shall not be required to give reasons for its recommendations.

SHORT TITLE

17. This Ordinance may be cited as "Sydney Diocesan Retirements Ordinance 1969".
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I certify that the Ordinance as printed is in accordance with the Ordinance as reported.

ATHOL RICHARDSON,
Chairman of Committees.

We certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 16th day of October, 1969.

W. L. J. HUTCHISON,
K. N. SHELLEY,
Secretaries of Synod.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

16/10/1969.