

SYDNEY DIOCESAN SICKNESS AND ACCIDENT FUND
VARIATION OF TRUSTS ORDINANCE 1973

No. 17, 1973

AN ORDINANCE to amend the Sydney Diocesan Sickness and Accident Fund Ordinance 1969-1972 and vary the trusts upon which the Fund thereby constituted will be held.

WHEREAS the Synod of the Diocese of Sydney by the Sydney Diocesan Sickness and Accident Fund Ordinance 1969-1972 has established a Fund known as the Sydney Diocesan Sickness and Accident Fund to provide sickness and accident benefits for clergymen in the Diocese of Sydney AND WHEREAS it has been deemed desirable to make an alteration to the benefits payable from the Fund in certain cases AND WHEREAS by reason of these circumstances which have arisen subsequent to the creation of the trusts on which the said Fund is held it is inexpedient to carry out and observe the same to the extent that they are hereby varied NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:-

1. (1) The Sydney Diocesan Sickness and Accident Fund Ordinance 1969-1972 is in this Ordinance referred to as the "Principal Ordinance".

(2) This Ordinance may be cited as "Sydney Diocesan Sickness and Accident Fund Variation of Trusts Ordinance 1973".

(3) The Principal Ordinance as amended by this Ordinance may be cited as "Sydney Diocesan Sickness and Accident Fund Ordinance 1969-1973".

2. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the said Fund is held it is inexpedient to carry out the same to the extent to which they are hereby varied.

3. The Principal Ordinance is amended as follows:-

(a) By inserting in clause 14 after the word "benefits" the words "arising under clause 13 hereof".

(b) By inserting a new clause 14A as follows:-

"14A. (a) (i) In the event of a member being totally or partially unable to perform his duties for a continuous period of not less than twenty-eight (28) days as a result of sickness or accident and continuing thereafter to be partially unable to perform all his duties, and

(ii) if the churchwardens of the principal church of the parish to which the member is licensed or if there be no principal church, the churchwardens responsible for paying the member's stipend have furnished to the Board such medical and other evidence as the Board may require as to the member's continuing incapacity to perform all his duties, and

(iii) if a locum tenens or other clerical assistant is engaged to assist the member during his partial inability to perform all his duties or expenses of a similar nature are incurred as a result of such partial inability then the Board shall pay to the churchwardens from the Fund an amount not exceeding an amount equal to 75% of the cost of the services of the locum tenens or other clerical assistant or of such other expenses or 75% of the determined rate of benefit whichever is the lesser for the period by which the period of partial incapacity exceeds the said period of twenty-eight (28) days.

- (b) Such payment shall be subject to the Board being satisfied from the medical evidence produced to it as to the extent of the disability suffered and that the engagement of a locum tenens or other clerical assistant or the incurring of such other expenses is justified.
- (c) Payments in respect of any one member in respect of partial incapacity shall not be made for a period or periods longer than six (6) months during any one year."

4. The provisions of this Ordinance shall operate from 1st August 1973.

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

ATHOL RICHARDSON
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 30th day of July, 1973.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

MARCUS LOANE
Archbishop of Sydney
30/7/1973