

DIOCESAN FUNDS (CONSOLIDATED) ORDINANCE,

1931

PREAMBLE.

WHEREAS it is expedient to consolidate and amend the Ordinances relating to the collecting and management of certain funds of the Diocese:—Be it enacted by the Bishop, Clergy and Laity of the Diocese of Grafton in Synod assembled as follows:—

1. SHORT TITLE.

This Ordinance may be cited as the "Diocesan Funds (Consolidated) Ordinance, 1931," under the several parts contained therein as follows:—

Part 1.—Interpretation, s. 3.

Part 2.—Church Management Fund, s.5, 4—6.

Part 3.—Church Extension Fund, s.s., 7—13.

Part 4.—Clergy Provident Fund, s.s., 14—29.

Part 5.—Administration, s.s., 30—43.

2. REPEALS.

The Ordinances mentioned in the Schedule hereto shall be and are hereby repealed, except as to any operation already effected by or act done under any enactment therein comprised or as to any right, title, obligation or liability already acquired or accrued under any such enactment, but this Ordinance shall not be held to revive any Ordinance repealed by the said Ordinances.

PART 1.

3. INTERPRETATION.

In this Ordinance, unless the context or subject matter otherwise indicates, "Bishop" means the Bishop of the Diocese or the Administrator of the Diocese for the time being.

"Bishop-in-Council," commonly known as the Diocesan Council, means the Bishop and his advisers acting together in the temporal affairs of the Diocese.

"Corporate Trustees" means the Corporate Trustees of the Diocese of Grafton.

"Parish" shall be held to mean Parish, Parochial District or other district, the boundaries of which are defined and registered by the Bishop-in-Council.

"Clergy" means Clergy serving in the Diocese.

"Rector" shall be held to include Vicar or Lay Reader in charge of a district.

"Rectory" means Rectory, Vicarage, Lodge, Clergy House or the like.

"Registrar" means the Registrar of the Diocese of Grafton. "Treasurer" means the Diocesan Treasurer.

"Churchwardens" means the Churchwardens elected or appointed to each licensed Church.

"Parochial Council" means the Councillors elected or appointed acting in conjunction with the Churchwardens of a parish.

"Budget" means the Diocesan Budget.

"Quota" means the proportion of the budget payable by a parish.

The "Funds" means the funds mentioned in the yearly budget.

PART II.

CHURCH MANAGEMENT FUND

4. CAPITAL.

There shall be a Church Management Fund and into the fund (capital account) shall be paid:—

(a) All moneys, the capital of the fund under the Church Management Fund Ordinance, 1918.

(b) Any donation or bequest to the capital of the fund.

5. INCOME

Into the Church Management Fund (Revenue Account) shall be paid:—

(a) All moneys standing to the credit of, and all moneys owing to the fund (current account) at the date of the passing of this Ordinance.

(b) Interest from capital.

(c) All moneys received in this behalf under Section 39, Sub-section (a) of this Ordinance.

(d) Charges made under the table of "Authorised Diocesan Fees" as determined by the authority of the Bishop-in-Council and under "Synod regulations respecting the sale, leasing and mortgaging of lands."

(e) Any moneys voted by the Bishop-in-Council to the fund.

6. OBJECTS.

The objects of the fund shall be:—

(a) To provide such salaries as may be determined from time to time by the Bishop-in-Council for the Registrar and for any assistance in the Registry.

(b) To furnish such materials as may be requisite for the due conduct of Diocesan business.

- (c) To pay expenses of Diocesan Synod.
- (d) To pay travelling expenses of Representatives to General and Provincial Synod.
- (e) To pay all charges upon such lands and properties as have been or shall be acquired for Diocesan purposes.
- (f) To pay for legal and other professional assistance and incidental costs in the conduct of Diocesan business.
- (g) To refund travelling expenses of members incurred in connection with attendance at the meetings of the Bishop-in-Council or other Church Management business.
- (h) To cover such other management expenses as may be approved by the Bishop-in-Council.

PART III.

CHURCH EXTENSION FUND

7. CAPITAL.

There shall be a Church Extension Fund and into the fund (Capital Account) shall be paid all moneys the Capital of the fund under the Church Extension Fund Ordinance, 1914.

Any sums which from time to time at the discretion of the Bishop-in-Council may be transferred from the accrued income of the fund and any bequest or donation hereafter to be received to such Capital Fund.

8. INCOME.

Into the Church Extension Fund (Revenue Account) shall be paid:—

- (a) Interest derived from capital.
- (b) All moneys standing to the credit of and all moneys owing to the fund (Current Account) at the date of the passing of this Ordinance.
- (c) All moneys received in this behalf under Section 39, Sub-section (b) of this Ordinance.
- (d) Subject to the provision of Section 9 the collections at all services in every licensed Church or other building in which Divine Service is held throughout the Diocese on the 20th Sunday after Trinity or at such places where Divine Service is not held on that day then on the next first occasion.

9. DUTY OF RECTOR AND CHURCHWARDENS.

It shall be the duty of the Rector, Churchwardens, and Parochial Councils of every parish where the portion of the quota due and payable has not been remitted to the Registrar at least fourteen clear days prior to the 20th Sunday after Trinity to make a special appeal and to remit all collections as defined in

Section 8, Sub-section (d) without delay or deduction to the Treasurer of the Parochial Council in the Parish, who must forward the same, together with the collections made in buildings other than Churches to the Registrar not later than thirty days after the completion of such collections.

10. OBJECTS.

The income of the fund shall be available:—

- (a) To augment the stipend of Clergy and Stipendiary Lay Readers in the newly formed and poorer parishes of the Diocese.
 - (b) To aid by grant in the purchase, erection, repair or enlargement of Churches, Rectories and Schoolrooms and in obtaining sites for Church purposes.
 - (c) To aid by grant to the Ordination Candidates Fund in the maintenance of approved candidates for Holy Orders in the Diocese and in the payment of the cost of their tuition.
 - (d) And generally to aid by grant such Church work as is connected with the extension of the Church throughout the Diocese.
 - (e) To refund travelling expenses of members incurred in connection with attendance at meetings of Diocesan Boards and Committees.
- 11. LOANS AND INVESTMENTS.**
- The Bishop-in-Council, with the approval of the Corporate Trustees, may, from time to time, make loans from the capital of the fund towards the purchase, erection, repair or enlargement of Churches, Rectories and Schoolrooms, and in obtaining glebe lands and sites for Church purposes and may also, from the said capital, make investments at their discretion.
- 12. GRANTS.**
- The Bishop-in-Council may refuse grants from the fund to any Clergyman, Lay Reader or Parish failing to fulfil financial and other Diocesan obligations.
- 13. CHURCH MANAGEMENT FUND CHARGE.**
- Five per centum of the gross income of the fund shall be paid into the Church Management Fund to cover management expenses.

PART IV.

CLERGY PROVIDENT FUND

CAPITAL.

There shall be a Clergy Provident Fund and into the Fund (Capital Account) shall be paid:—

- (a) All moneys the capital of the fund under the Clergy Provident Fund Ordinance, 1915.
- (b) Any donation or interest to the capital of the fund.
- (c) Any sum which the Bishop-in-Council may decide from time to time to transfer from the surplus income of the fund.

15. INCOME.

Into the Clergy Provident Fund (Revenue Account) shall be paid:—

- (a) Interest derived from any legacy or endowment wholly restricted to payment of premiums.
- (b) Grants wholly restricted to payment of premiums.
- (c) All moneys standing to the credit of and all moneys owing to the fund (Current Account) at the date of the passing of this Ordinance.
- (d) All moneys not set apart for investment under Section 14, Sub-section (c) of this Ordinance.
- (e) All moneys received in this behalf under Section 39, Sub-section (b) of this Ordinance.
- (f) Subject to the provision of Section 16 the collections at all services in every licensed Church or other building in which Divine Service is held throughout the Diocese on the 2nd Sunday after Easter or at such places where Divine Service is not held on that day, then on the next first occasion.
- (g) Of such payment by the Clergy as shall from time to time be required of them, by the Bishop-in-Council, as members of a Clergy Provident Fund.

16. DUTY OF RECTOR AND CHURCHWARDENS.

It shall be the duty of the Rector, Churchwardens and Parochial Councils of every parish where the portion of the quota due and payable has not been remitted to the Registrar at least 14 clear days prior to the 2nd Sunday after Easter to make a special appeal and to remit all collections as defined in Section 15, Sub-section (f) without delay or deduction to the Treasurer of the Parochial Council in the parish who must forward the same, together with the collections made in buildings other than Churches to the Registrar not later than thirty days after the completion of such collections.

17. OBJECTS.

The income of the fund shall be available:—

- (a) To pay five per centum of the gross receipts to the Church Management Fund towards cost of management.
- (b) To pay premiums as provided for in Section 15, Sub-sections (a) and (b) of this Ordinance.

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- (c) To pay from the remainder such further proportion of the annual premiums of the Clergy as may be deemed fitting by the Bishop-in-Council, and for such other purposes as hereinafter defined.

18 STIPEND LIABLE FOR SUBSCRIBERS' CONTRIBUTIONS.

The stipend of each member or unassurable clergyman shall be liable to the deduction of the necessary amount to provide his contribution of the annual premium, and in the case of an unassurable Clergyman of the amount of the annual deposit required of him under Section 27, and if so required by the Bishop-in-Council the Churchwardens shall deduct such necessary amount from the stipend of the member or unassurable clergyman and forward it to the Registrar whose acknowledgment in such case shall be a full and sufficient discharge to the Churchwardens of this portion of the member's or unassurable clergyman's stipend.

19. MEMBERSHIP OF FUND.

The Bishop and the Clergy who are and shall be licensed by him may participate in the benefits of the fund, either for the purpose of personal superannuation or for securing an annuity for their widows and orphans if they are or shall become members of—

- (a) The Australian Clergy Provident Fund.
- (b) The Sydney Clergy Provident Fund.
- (c) Any other Diocesan Clergy Provident Fund approved by the Bishop-in-Council.
- (d) A Clergy Widows' and Orphans' Fund approved by the Bishop-in-Council.

20. OBLIGATION TO JOIN FUND.

It shall be a matter of obligation for all clergy, now or hereafter licensed, to become members of a Clergy Provident Fund, and in the case of married clergy, also of a Clergy Widows and Orphans' Fund, unless exempted by the Bishop-in-Council.

21. MEMBERSHIP AGREEMENT.

All Clergy at their Ordination or entry into the Diocese shall receive from the Registrar a copy of the latest information concerning and the provisions of, the abovementioned funds and shall be required to sign an agreement in or to the effect of Form 1, hereunder, before their names are recommended for acceptance.

FORM 1.

I, the undersigned of
in the State of New South Wales, aged years, being
married (unmarried) do hereby undertake and agree with the

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- (a) A refund in full of all deposits made by him on ceasing to hold a full ministerial office in the Diocese or;
- (b) On retirement or permanent disablement to payment in full of all deposits made by him and for him, together with such grant from the fund as the Bishop-in-Council may determine, or on decease similar payment to the widow and orphans or other dependents, if any.

PART V. ADMINISTRATION

30. BISHOP-IN-COUNCIL TO ADMINISTER.

The Bishop-in-Council shall administer the funds

31. INVESTMENT OF CAPITAL.

All investment of capital of the several funds shall be made by the Corporate Trustees.

32. BY-LAWS.

The Bishop-in-Council may make By-Laws for the regulation of the funds.

33. FINANCE COMMITTEE.

The Bishop-in-Council shall, upon the passing of this Ordinance, and again at the first meeting following the First Session of each successive Synod, appoint from among the members thereof one layman and the Corporate Trustees shall appoint one of their number and these, together with the Bishop, the Treasurer and the Registrar, ex-officio, shall be a Finance Committee, which shall deal with such matters of finance as may be referred to it by the Bishop-in-Council.

34. TERM OF OFFICE.

The members appointed to such Finance Committee shall hold office until the appointment of their successors.

35. TREASURER TO REPORT.

The Treasurer shall present to each meeting of the Bishop-in-Council a written report of the business transacted by the Finance Committee, together with a statement of the condition of the funds.

36. BUDGET AND CLASSIFICATION.

It shall be the duty of the Bishop-in-Council:—

- (a) To present to each Session of Synod a Budget showing in detail the amount of money required from the parishes for the purposes of the Budget during the next financial year, including and showing separately and in detail the amount required for such purposes apart from all existing endowments and income of funds invested.

- (b) To submit to Synod a financial classification of all parishes compiled in consultation with each parish and the Archdeacon of the Archdeaconry in which the parish is situated.

37. FINANCIAL STATEMENTS AND REPORTS.

Each Parochial Council shall, on or before the twenty-first day of August in each year, forward to the Registrar copies of reports and of a duly audited statement of receipts and expenditure for the preceding financial year.

33. YEARLY QUOTA.

So soon as possible after adoption by Synod of the Budget for the financial year the Bishop-in-Council shall allot among the respective parishes on the basis of the financial classification hereinbefore mentioned the quota to be contributed by each parish to meet the Budget and the Registrar shall forthwith notify all Parochial Councils of the same

39. OBLIGATION TO COLLECT.

It shall be the duty of the Rector, Churchwardens and Parochial Council of every parish to arrange for the collection of the parochial quota of the Diocesan Budget and to forward to the Registrar at the close of each month or quarter the proportionate amount of the annual quota as fixed by Synod; provided that if the Churchwardens or Parochial Council in any parish fail to arrange for such collection it shall be lawful for the Bishop-in-Council to appoint an organiser to visit such parish and to arrange for the collection of such quota and the moneys so received shall be allocated as follows:—

- (a) The amount required under the Budget for the Church Management Fund shall be first satisfied.
- (b) The remainder of the moneys received shall be apportioned amongst the other funds mentioned in the Budget in proportion to the total amounts allotted to them respectively provided always that the full amount received in the collections hereinbefore mentioned shall be paid into the fund for which they have been so collected.

40. ESSENTIAL CHARGE.

That portion of the yearly quota payable into the Church Management Fund by each parish shall be and is hereby declared to be an essential charge on each parish within the Diocese and shall be held to be included in the requirements of a parish as set out in Section 4, as amended 1924, and of a Parochial District as set out in Section 5, Sub-section (b) of Part I of the Parochial Ordinance, 1918, and the Section and Sub-section so referred to are hereby held to be so amended.

41.

The Bishop-in-Council may appoint an organiser or organisers of the funds upon such terms and conditions as may be deemed fitting:—

- (a) To assist the Bishop-in-Council in collecting the funds and particularly as provided under Section 39.
- (b) To advise and assist Parochial Councils in financial matters when desired by such bodies.
- (c) To report in writing to each meeting of the Bishop-in-Council.

42. REPORT TO SYNOD.

A written report of each of the several funds hereunder shall be presented by the Treasurer to each Session of Synod, together with the Statements of Account duly audited by the Diocesan Auditor.

43. DATE OF COMMENCEMENT.

The date of the commencement of this Ordinance shall be the first day of July, 1931.

SCHEDULE.

Date of Ordinance.	Title of Ordinance.	Extent of Repeal.
1918	Church Management Fund Ordinance.	The Whole.
1914	Church Extension Fund Ordinance.	The Whole.
1916	Church Extension Fund Ordinance Amendment Ordinance.	The Whole.
1919	Church Extension Fund Ordinance Amendment Ordinance.	The Whole.
1915	Clergy Provident Fund Ordinance.	The Whole.
1918	Clergy Provident Fund Ordinance Amendment Ordinance.	The Whole.
1919	Clergy Provident Fund Ordinance Amendment Ordinance.	The Whole.
1929	Clergy Provident Fund Ordinance Amendment Ordinance.	The Whole.
1925	Church Finance Ordinance.	The Whole.
1926	Church Finance Ordinance Amendment Ordinance.	The Whole.
1930	Church Finance Ordinance Amendment Ordinance.	The Whole.