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*Clergy Provident Fund (Sydney) Ordinance 1955.*

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No. 26, 1955.

AN ORDINANCE to amend the Clergy Provident Fund  
(Sydney) Ordinance 1944-1954.

The Synod of the Diocese of Sydney ordains as follows:—

1. (1) This Ordinance may be cited as the "Clergy Provident Fund (Sydney) Ordinance 1955."
  - (2) The Clergy Provident Fund (Sydney) Ordinance 1944-1954 is in this Ordinance referred to as "the Principal Ordinance."
  - (3) The Principal Ordinance as amended by this Ordinance may be cited as the "Clergy Provident Fund (Sydney) Ordinance 1944-1955."
2. Clauses 3 and 6 of this Ordinance shall take effect on a date to be fixed by the Board after Her Majesty has assented to the "Church of England Clergy Provident Fund (Sydney) Bill 1955."
3. (1) The name of the Fund is changed to the "Church of England Provident Fund (Sydney)."
  - (2) The name of the Board is changed to "The Board of the Church of England Provident Fund (Sydney)."
  - (3) Clause 3 of the Principal Ordinance is amended by omitting from the definition of "The Fund" the words "Clergy Provident Fund (Sydney)" and by inserting in their stead the words "Church of England Provident Fund (Sydney)."
  - (4) The Second Schedule to the Principal Ordinance is amended by omitting the words "Clergy Provident Fund (Sydney)" and inserting in their stead the words "Church of England Provident Fund (Sydney)."

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- (5) The Board shall give notice of the changes of name effected by this Clause in such manner as it may determine.

4. Clause 24A of the Principal Ordinance (constituting the Relief Fund) is omitted, and from the day when this Ordinance shall take effect the fund heretofore known as the Relief Fund shall be applied for the ordinary purposes of the Provident Fund.

5. Clause 25 of the Principal Ordinance is amended by omitting the words "and the Relief Fund."

6. Clause 26 of the Principal Ordinance is amended:—

- (a) by inserting after sub-clause (1) the following sub-clause (1A). "Subject as hereinafter provided:

(1) any teacher employed in a Church of England School;

(2) any official of a Church of England Diocesan Registry; and

(3) any other lay person who is permanently engaged in the work of the Church of England or employed by any institution school or organisation connected with the said Church, may, in the discretion of the Board, either generally or in any particular case, be admitted to membership of the Fund for Superannuation Annuity or Widows' and Orphans' Pension or both.

The decision of the Board as to whether any person is qualified to be admitted under sub-clauses 1, 2 and 3 above shall be conclusive."

- (b) by omitting from sub-clause (2) the word "clergyman" and inserting in its stead the word "person."

7. Clause 26A of the Principal Ordinance is amended by adding at the end of sub-clause (5) the words "Table E of the Fifth Schedule and Table F of the Sixth Schedule."

8. After Clause 26A of the Principal Ordinance the following new clauses are inserted.

- "26B. Notwithstanding anything contained in Clause 26A a person who becomes a member on or after the first day of January, 1956, shall pay the subscription applicable to such person;

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- (a) under Table E set out in the Fifth Schedule in respect of the benefits set out in that Schedule; and
- (b) under Table F set out in the Sixth Schedule in respect of the benefits set out in that Schedule.

26C. The Board may make rules and regulations under and in accordance with Clause 23 to provide for the admission of women qualified under sub-clause (1A) of Clause 26 to membership of the Fund for Superannuation Annuity and for the subscriptions and benefits applicable to them."

9. Clause 27 of the Principal Ordinance is amended by adding at the end the following sub-clause:

"(4) This clause shall not apply to an application under clause 27AA."

10. After clause 27 and before clause 27A of the Principal Ordinance the following clause is inserted.

"27AA (1) A member who is under the age of 55 years and who is for the time being a subscriber under Table A, Table B, Table C or (in respect of Widows' and Orphans' Pension) Table D may at any time apply to become a subscriber under Table E and Table F or either of them at the rate applicable to his age when he so applies but subject to sub-clause (3).

(2) The provisions of clause 26 shall apply to such application.

(3) The Board may reduce the subscription under Table E and Table F otherwise payable by an applicant under this clause to such rate (if any) as it with the approval in writing of the Actuary may determine having regard to the amount of the subscriptions previously paid by or in respect of him.

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11. Clause 27A of the Principal Ordinance is amended by adding at the end of sub-clause (4) the words:

"Table E of the Fifth Schedule and Table F of the Sixth Schedule."

12. Clause 34 is amended by inserting after the words "Superannuation Annuity first occurring the words "Under Table A, B or C."

13. Clause 36 of the Principal Ordinance is amended by inserting after the word "annuitant" first occurring the words "under Table A, B or C."

14. Clause 37 of the Principal Ordinance is amended by inserting after the words "Annuitant superannuated" first the words "under Table A, B or C."

15. Clause 39 of the Principal Ordinance is amended by omitting sub-clause (3).

16. Clause 43 of the Principal Ordinance is amended:—

(a) by inserting after the words "Superannuation Annuity" firstly occurring the words "under Table A, B or C";

(b) by omitting from sub-paragraph (a) the words "shall be paid to the widow or be applied by the Board for the maintenance benefit or advancement in life of the widow and children of the deceased member or any one or more of them in such manner as the Board shall determine" and inserting in their stead "shall be paid to the estate of the deceased member";

(c) by omitting from sub-paragraph (b) the words "for the persons and."

17. Clause 44 of the Principal Ordinance is amended:—

(a) by inserting after the words "Superannuation Annuity" firstly occurring the words "under Table A, B or C";

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(b) by omitting from sub-clause (a) the words "one third" and inserting in their stead the words "nine-tenths";

(c) by omitting from sub-clause (b) the words "one-third" and inserting in their stead the words "nine-tenths."

18. After clause 48 of the Principal Ordinance the following clause is inserted:—

"49. (1) The Board may in its absolute discretion arrange either generally or in any particular case for:

(a) the transfer of any member with his or her consent to any other provident fund;

(b) the transfer to the Fund of a contributor to any other provident fund, or

(c) the payment or receipt as the case may be by the Fund of such amount as the Board, with the approval in writing of the Actuary, may determine, in respect of the member or contributor so transferred.

(2) In particular where a contributor to another fund is transferred to the Fund the Board may in its absolute discretion and on such terms as it with the approval in writing of the Actuary may determine;

(a) permit the period of his membership of such other Fund to count in whole or in part in computing his benefit or in determining whether any benefit in respect of him is payable; and

(b) vary his subscription or benefits otherwise payable hereunder."

19. After the Fourth Schedule to the Principal Ordinance the following Schedules are inserted.

FIFTH SCHEDULE—SUPERANNUATION ANNUITY AFTER  
1st JANUARY, 1956.

1. (1) The amount of annual subscription for each unit of benefit as hereinafter defined depends on the age of admission to membership, in accordance with the Table here-

MALE RATE—  
under.  
Age at  
Entry.

TABLE E.

	Annual Subscription for each unit effected.		
	£	s.	d.
22	10	15	0
23	11	5	0
24	11	16	0
25	12	8	0
26	13	0	0
27	13	13	0
28	14	7	0
29	15	1	0
30	15	17	0
31	16	14	0
32	17	12	0
33	18	11	0
34	19	11	0
35	20	13	0
36	21	16	0
37	23	2	0
38	24	10	0
39	26	0	0
40	27	13	0
41	29	8	0
42	31	7	0
43	33	11	0
44	35	19	0
45	38	11	0
46	41	8	0
47	44	11	0
48	48	0	0
49	51	16	0
50	56	1	0
51	60	18	0
52	66	8	0
53	72	17	0
54	80	11	0



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- (2) One or more units may be subscribed for on admission to membership.
- (3) A member under the age of 55 years may increase his benefit by one or more units at any time by payment of the additional subscription applicable to his age attained at the date of the increase.
- (4) A member who has attained the age of 65 years, shall not be liable to pay any further subscription.

2. A unit shall be a life annuity of £100 per annum commencing on retirement at the age of 60 years for a female member or within one year after the date of attaining 65 years for a male member. This is the date on which the member becomes entitled to Superannuation Annuity. If a male member retired at a later date the annuity will be increased in accordance with the following Table.

Age last birthday at retirement.	Annuity per annum in respect of each unit.
	£
65 ... ..	100
66 ... ..	108
67 ... ..	117
68 ... ..	127
69 ... ..	138
70 ... ..	149

3. (a) If the annuitant who retired on or after attaining the age of 65 years in the case of a male member dies before attaining the age of 70 years the annuity will continue to be paid to his estate until the seventieth anniversary of his birth.
- (b) If the annuitant who retired on or after attaining the age of 60 years in the case of a female member dies before attaining the age of 65 years the annuity will continue to be paid to her estate until the sixty-fifth anniversary of her birth

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4. (a) If a male member dies before he attains the age of 65 years and if all moneys owing to the Fund in respect of membership are paid before or within six months after his death a sum equal to all subscriptions and amounts paid in respect of Superannuation Annuity accumulated at compound interest at 3% per annum shall be payable to his estate such interest shall be calculated by half-yearly rests as on the 30th June and the 31st December on the credit balance at the commencement thereof.

(b) If a female member dies before she attains the age of 60 years and if all moneys owing to the Fund in respect of membership are paid before or within six months after her death a sum equal to all subscriptions and amounts paid in respect of Superannuation Annuity shall be payable to her estate without interest.

5. If a male member before he attains the age of 65 years ceases to carry on duty:

(1) by reason of permanent physical or mental incapacity, which, in the opinion of the Board, renders him unable to do so, and if all moneys owing to the Fund in respect of his membership have been paid within six months after the date on which he so ceases to carry on duty:

(a) If he has attained the age of 55 years and not less than 10 years' subscriptions have been paid in respect of him a life annuity shall be payable to him in accordance with the Table set out hereunder:—

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Age last birthday at date of discontinuance.	Annuity per annum in respect of each unit.
	£
55 ... ..	40
56 ... ..	46
57 ... ..	52
58 ... ..	58
59 ... ..	64
60 ... ..	70
61 ... ..	76
62 ... ..	82
63 ... ..	88
64 ... ..	94

- (b) Otherwise a sum equal to all amounts paid in respect of Superannuation Annuity shall be payable to him.
- (2) For any reason other than incapacity as aforesaid he shall be entitled either to continue or to resign his membership.

6. In the case of a member who is employed or engaged by any registry institution school or organisation of the Church of England (herein called "the employer") and whose subscriptions are paid in whole or in part by the employer, the benefits under paragraphs 4 and 5 of this Schedule to the extent that they are attributable to the subscriptions paid by the employer may be varied by agreement between the employer and the member notified to and approved by the Board.

GENERAL.

7. (1) A person in receipt of a benefit under Schedule E may accept clerical or other duty or any office of profit of any character.
- (2) Clauses 37 and 38 of the Ordinance shall not apply to a person in receipt of any benefit under this Schedule.

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- (3) The Board may re-admit to the Fund any person who has ceased to be a member and has not attained the age of 55 years and is qualified to become a member on such terms as it with the approval in writing of the Actuary may determine.
- (4) Where the provisions of this Schedule are inconsistent with other provisions of the Ordinance as at the 31st December, 1955, the former shall prevail and the latter to the extent of the inconsistency shall not apply.

SIXTH SCHEDULE—WIDOWS' AND ORPHANS' PENSION.

TABLE F.

- i. (1) The amount of annual subscription for each unit of benefit as hereinafter defined depends on the age at entry to membership in accordance with the Table hereunder.

TABLE F.

Age at Entry.	Annual Subscription for each unit effected.		
	£	s.	d.
22 ... ..	11	7	0
23 ... ..	11	15	0
24 ... ..	12	3	0
25 ... ..	12	11	0
26 ... ..	12	19	0
27 ... ..	13	8	0
28 ... ..	13	17	0
29 ... ..	14	7	0
30 ... ..	14	18	0
31 ... ..	15	10	0
32 ... ..	16	3	0
33 ... ..	16	16	0
34 ... ..	17	9	0
35 ... ..	18	4	0
36 ... ..	18	19	0
37 ... ..	19	16	0
38 ... ..	20	14	0
39 ... ..	21	13	0
40 ... ..	22	14	0
41 ... ..	23	16	0

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Age at Entry.	Annual Subscription for each unit effected.
42 ... ..	25 1 0
43 ... ..	26 7 0
44 ... ..	27 15 0
45 ... ..	29 6 0
46 ... ..	30 19 0
47 ... ..	32 16 0
48 ... ..	34 17 0
49 ... ..	37 2 0
50 ... ..	39 12 0
51 ... ..	42 9 0
52 ... ..	45 13 0
53 ... ..	49 8 0
54 ... ..	53 15 0

- (2) One or more units may be subscribed for on admission to membership.
- (3) A member under the age of 55 years may increase the benefit by one or more units at any time by payment of the additional subscription applicable to his age attained at the date of the increase but will not be allowed to subscribe for a greater number of units than the number for which he subscribes under Schedule E.
- (4) A member who has attained the age of 65 years shall not be liable to pay any further subscription.
- (5) All applications for membership or increases will be subject to satisfactory evidence of the health of the member and his wife.

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- (6) The rates of subscription apply if the member is not more than five years younger or older than his wife; otherwise he shall pay a special rate of subscription to be calculated by the Actuary.

2. A unit shall be a pension of £100 per annum paid to the widow after the death of her husband for her life with a further pension of £26 per annum for each child surviving the member until such child attains the age of sixteen years.

3. If a member desires to withdraw from the Fund under Schedule F or ceases to carry on regular and continuous duty; for any reason:

- (1) before he attains the age of 55 years a sum equal to one half of the total subscriptions paid under this Schedule shall be refunded to him;

- (2) after he has attained the age of 55 years he may at his option, to be notified in writing to the Board, either be paid the cash benefit under (1) or continue his membership.

4. (1) If the wife of a member dies before such member has attained the age of 55 years he shall be paid a sum equal to one-half of the total subscriptions paid under this Schedule and such subscriptions will then cease. If he remarries under the age of 55 years he may resume membership by paying the rate of subscription applicable to the age he has attained at the date of such remarriage. No evidence of health will be required but in other respects he will be treated as a new member;

- (2) If the wife of a member or former member dies before her husband after he has attained the age

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of sixty-five years he shall be paid a sum in cash according to the following Table:

Age last birthday of member at the date of wife's death.	Cash sum per unit benefit
	£
65 ... ..	250
66 ... ..	200
67 ... ..	150
68 ... ..	100
69 ... ..	50
70 or over... ..	Nil.

5. Where the provisions of this Schedule are inconsistent with other provisions of the Ordinance as at the 31st December, 1955, the former shall prevail and the latter to the extent of the inconsistency shall not apply.

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

ARTHUR L. WADE,  
Chairman of Committees.

We certify that this Ordinance was passed by the Synod of the Diocese of Sydney this 20th day of October, 1955.

S. H. DENMAN }  
H. V. ARCHINAL } Secretaries  
of Synod

I assent to this Ordinance.

HOWARD SYDNEY,  
Archbishop of Sydney.

21/10/1955