

# Parochial Cost Recoveries Ordinance 2009

No 36, 2009

## Long Title

An Ordinance to determine the cost recoveries charge payable by parochial units in 2010, 2011 and 2012, to authorise the application of such charge, and for incidental purposes.

## Preamble

A. Under clause 4 of the Cost Recoveries Framework Ordinance 2008 (the "Framework Ordinance"), a parochial unit is to pay a cost recoveries charge each year in respect of ministry costs and property costs specified or determined in accordance with an ordinance referred to in clause 5 of the Framework Ordinance.

B. By clause 5(1) of the Framework Ordinance, the Standing Committee is to prepare for the second ordinary session of the 48<sup>th</sup> Synod a proposed ordinance which specifies the cost recoveries charge to be paid by each parochial unit in 2010, 2011 and 2012, or the method or methods by which such charge may be determined by the Standing Committee, and authorises the Standing Committee to apply such cost recoveries charges toward ministry costs and property costs.

The Synod of the Diocese of Sydney Ordains as follows.

### 1. Name

This Ordinance is the Parochial Cost Recoveries Ordinance 2009.

### 2. Definitions

In this Ordinance –

"year" means a period of 12 calendar months commencing on 1 January.

"ministry costs" means the costs, expenses, charges or contributions for the year referred to or contemplated under clause 2(2)(a) of the Framework Ordinance.

"parochial unit" means a parish, provisional parish, recognised church or provisional recognised church in the Diocese of Sydney.

"parochial unit with property" means a parochial unit for which real property is held on trust or which has the use of real property held as part of the fund constituted under the Mission Property Ordinance 2002.

"parochial unit without property" means a parochial unit which is not a parochial unit with property.

"property costs" means –

- (a) the costs, expenses, charges or contributions for the year referred to or contemplated under clause 2(2)(b) of the Framework Ordinance, and
- (b) the cost of the parish risk management program, and
- (c) two-thirds of the costs for the year of the Professional Standards Unit, and
- (d) the cost of the safe ministry program.

### 3. Cost recoveries charge

(1) In 2010, 2011 and 2012 each parochial unit is to pay a cost recoveries charge calculated according to the formula in the Schedule.

(2) The Standing Committee is to report to the third ordinary session of the 48<sup>th</sup> Synod and the first ordinary session of the 49<sup>th</sup> Synod about –

- (a) the ministry costs and property costs payable in the following year and an estimate of the amounts so payable, and
- (b) the cost recoveries charge estimated to be payable by each parochial unit in the following year and details of how that charge is calculated.

### 4. Directions for Application

The cost recoveries charge paid by a parochial unit under clause 3 is to be applied to the payment of the ministry costs and property costs incurred, or to be incurred, in the year for which that charge is paid.

#### Schedule: Cost Recoveries Charge

1. The cost recoveries charge payable by a parochial unit for a year is the sum of –

- (a) the minister and assistant minister charge for that year, and
- (b) the variable charge for that year,

but if –

- (c) the contributions, costs and charges for a minister or assistant minister are paid by another parochial unit or body, or do not apply to the minister or assistant minister, a pro rata rebate

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of the appropriate portion of the minister or assistant minister charge is granted for that part or parts of the year for which that minister or assistant minister is licensed, and

- (d) if a minister or assistant minister is licensed to the parochial unit only for part or parts of the year, an appropriate portion of the minister and assistant minister charge is payable for such part or parts.

2. In this Schedule –

“assistant minister” means an assistant minister or a senior assistant minister within the meaning of the Assistant Ministers Ordinance 1990 licensed to the parochial unit.

“minister” means –

- (a) the person licensed to the parochial unit as rector or curate-in-charge, and  
(b) in the absence or incapacity of a person referred to in paragraph (a) or during any vacancy in office of the rector or curate-in-charge of the parochial unit, the person appointed under rule 9.7 in Schedule 1 or Schedule 2 of the Parish Administration Ordinance 2008 for the time being to exercise all or any of the functions of the rector or curate-in-charge.

“minister and assistant minister charge” means, for each minister and assistant minister licensed to the parochial unit, the sum of the following costs and charges –

- (a) the costs of the contribution or contributions to a superannuation fund at the rate determined from time to time under the Sydney Diocesan Superannuation Fund Ordinance 1961, and  
(b) the costs of the contribution required to the Sydney Long Service Leave Fund in order to enable that Fund to make the payment or payments required to be made under the Long Service Leave Canon 1992, and  
(c) the costs of the contribution or contributions to fund the Sydney Diocesan Sickness and Accident Fund, and  
(d) the costs of effecting stipend continuance insurance.

“variable charge” means –

- (a) in 2010 – the determined percentage for that year of the net operating receipts of the parochial unit for 2008 under the Framework Ordinance, and  
(b) in 2011 – the determined percentage for that year of the net operating receipts of the parochial unit for 2009 under the Framework Ordinance, and  
(c) in 2012 – the determined percentage for that year of the net operating receipts of the parochial unit for 2010 under the Framework Ordinance.

“determined percentage” means the ratio, expressed as a percentage, determined by the Standing Committee in accordance with the following formula –

$$\frac{PC}{TR}$$

where –

PC is the total estimated amount of all property costs payable in a particular year, and

TR is the total of the net operating receipts of all parochial units,

provided that –

- (a) in the case of a parochial unit with property, the determined percentage is adjusted upwards to the extent necessary to meet any shortfall in the recovery of the estimated amount of all property costs payable in a year due to the reduction in the determined percentage for parochial units without property under paragraph (b), and  
(b) in the case of a parochial unit without property, the determined percentage is 55% of the determined percentage calculated under paragraph (a).

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

R TONG  
Chairman of Committees

## **Parochial Cost Recoveries Ordinance 2009**

We Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 27 October 2009.

CJ MORONEY  
R WICKS  
Secretaries of Synod

I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
10/11/2009