

*Bishop Mentally Incapable.*

511891  
 AN ORDINANCE for accepting and adopting a certain Determination of the General Synod Session 1891, intituled, "Rules to provide for the case of a Bishop mentally incapable of administering his Diocese."

(Assented to 23 August, 1892.)

WHEREAS a certain Determination being Determination No. VI. was made by the General Synod of the Dioceses in Australia and Tasmania, on the third day of October, 1891, intituled "Rules to provide for the case of a Bishop mentally incapable of administering his Diocese," a copy of which is contained in the Schedule annexed to this Ordinance. And whereas it is expedient that the said Determination shall be accepted by the Church in this Diocese. 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 United Church of England and Ireland within the Colony of New South Wales, ordains and rules as follows:—

That the said Determination and the Rules therein contained, and each and every of them shall be, and the same are and is hereby accepted and adopted, and shall so far as the same are applicable be applied to the management and government of the Church in this Diocese in like manner as if the said Determination, and the Rules therein contained, and each and every of them had been ordained and ruled by the Synod of this Diocese.

---

*Bishop Mentally Incapable.*


---

## SCHEDULE

General Synod, Session 1891.

## DETERMINATION—No. VI.

*(Made Saturday, 3 October, 1891.)*

**RULES TO PROVIDE FOR THE CASE OF A BISHOP MENTALLY INCAPABLE OF ADMINISTERING HIS DIOCESE.**

1. If at any time it shall be declared and determined by a Court of competent jurisdiction that the Bishop of any Diocese in Australia or Tasmania is incapable of managing his affairs, such declaration or determination shall be notified to the Primate or Senior Bishop as the case may be and such Primate or Senior Bishop may formally declare the See vacant and give due notice of the vacancy and thereupon the same shall be deemed vacant.

2. Where there shall have been no legal proceedings in the case as hereinbefore provided and it shall be established to the satisfaction of the Primate or Senior Bishop as the case may be upon the report of a majority of the members of the Diocesan Council, Standing Committee or the corresponding Body in any Diocese—such report being accompanied and supported by the certificate of not less than three duly qualified medical practitioners—that there is *prima facie* reason to believe that the Bishop is rendered incapable by any form of mental or cerebral disease of administering his See the Primate or Senior Bishop as the case may be thereupon shall issue a Commission of Inquiry to three Bishops with authority to take such medical and other evidence as they may think necessary and to report to him. If the report of the said Commission should be that the Bishop is incapable as aforesaid the Primate or Senior Bishop as the case may be may declare the See vacant and thereupon such See shall be deemed vacant.