



Clergy Pensions (Amendment) Measure 1967

1967 No. 1

A Measure passed by the National Assembly of the Church of England to amend the Clergy Pensions Measure 1961. [22nd March 1967]

Modifications etc. (not altering text)

- C1 Power to amend, replace and revoke provisions of this Measure conferred by [Clergy Pensions \(Amendment\) Measure 1972 \(No. 5, SIF 21:5\), s. 6\(2\)\(3\)](#)
- C2 Measure extended by Diocese in [Europe Measure 1980 \(No. 2, SIF 21:1\), s. 5\(1\)](#)

Commencement Information

- I1 Measure wholly in force at Royal Assent.

1 Termination of contributory pension scheme for widows and children.

..... F1

Textual Amendments

- F1 [S. 1](#) repealed by [Church of England \(Pensions\) Measure 1988 \(No. 4, SIF 21:5\), ss. 10\(3\), 18\(2\), Sch. 3](#)

2 F2

Textual Amendments

- F2 [S. 2](#) revoked by [S.I. 1977/1146, reg. 10\(2\)](#)

Status: Point in time view as at 27/02/2007.

Changes to legislation: There are currently no known outstanding effects for the Clergy Pensions (Amendment) Measure 1967 (repealed). (See end of Document for details)

3 Power to make lump sum payments in addition to pensions.

- (1) As from such date as may be specified in rules made under this section, the [^{F3}Board] may, subject to and in accordance with such rules, make lump sum payments to [^{F4}scheme numbers] entitled to pensions under [^{F5}the past service scheme (within the meaning assigned to that expression by the Pensions Measure 1997)], in addition to those pensions.
- [^{F6}(1A) As from such date as may be specified in rules made under this section, the Commissioners may, subject to and in accordance with such rules, authorise the Board to make lump sum payments on the death of scheme members.]
- (2) The Board may make rules for the purposes of this section, and any such rules shall be agreed with the Commissioners and shall be laid before the Church Assembly and shall not come into operation until they have been approved by the Church Assembly.
- [^{F7}(2A) Where the Standing Committee of the General Synod determines that any Rules made under this section do not need to be debated by the General Synod, then, unless—
- (a) notice is given by a member of the General Synod in accordance with its Standing Orders that he wishes the Rules to be debated, or
 - (b) notice is so given by any such member that he wishes to move an amendment to the Rules and at least twenty-five other members of the Synod indicate when the amendment is called that they wish the amendment to be moved,
- the Rules shall for the purposes of subsection (2) above be deemed to have been approved by the General Synod without amendment.]
- [^{F8}(3) For the purposes of any rules made under this section a scheme member who—
- (a) before attaining the retiring age ceases to perform pensionable service, and
 - (b) on the date on which he attains that age is neither performing such service nor in receipt of a pension in respect of such service,
- shall be deemed to have retired on that date.
- (4) A clerk who—
- (a) is deposed from Holy Orders, or
 - (b) executes a deed of relinquishment under the Clerical Disabilities Act 1870,
- is still a clerk for the purposes of any rules made under this section; and if at the date on which the clerk is so deposed or on which the deed is recorded in the diocesan registry under section 4 or 5 of that Act the clerk has attained the retiring age he shall be deemed to have retired on that date, and if at that date he has not attained the retiring age he shall be deemed to have retired on the date on which he attains that age.]

Textual Amendments

- F3** Word in s. 3(1) substituted (1.1.1998) by 1997 No. 1, s. 10(1), **Sch. 1 Pt. I para. 14(a)**; Instrument dated 28.11.1997 made by Archbishops of Canterbury and York
- F4** Words substituted by Church of England (Pensions) Measure 1988 (No. 4, SIF 21:5), **ss. 5(a), 10(3)**
- F5** Words in s. 3(1) substituted (1.1.1998) by 1997 No. 1, s. 10(1), **Sch. 1 Pt. I para. 14(b)**; Instrument dated 28.11.1997 made by Archbishops of Canterbury and York
- F6** By 1997 No. 1, s. 10(2), **Sch. 2 Pt. I** it is provided (1.1.1997) that s. 3(1A) is repealed (with saving in s. 10(3)); Instrument dated 28.11.1997 made by Archbishops of Canterbury and York.
- F7** S. 3(2A) inserted (01.10.1992) by S.I. 1992/1748, **art. 2.**
- F8** S. 3(3)(4) added by S.I. 1988/2239, **reg. 4**

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4 Amendments of powers of Board relating to provision of residences.

- (1)^{F9}
- (2) It is hereby declared for the removal of doubt that the expression “home of residence” in the principal Measure includes a separate dwelling-house; . . .^{F10}
- (3) Section 28(b) of the principal Measure (which includes among the purposes of the fund therein mentioned the provision of homes of residence for church workers and their wives, widows and dependents) shall be amended by the insertion after the word “provision” of the words “ maintenance or management ”.
- (4) For the purposes of the powers of the Board under [^{F11}section 1(4) of the Church of England (Pensions) Measure 2003.] to borrow money on the security of the assets of the Funds mentioned in those provisions, a home of residence vested in the Board and certified on its behalf to be maintained to a material extent out of any such Fund shall be deemed to be an asset of the Fund concerned.
- (5) Where it appears to the Board that any land or building (including a part of a building) used as or for the purposes of, or held with, any such home of residence should cease to be so used or held, the Board may by instrument under seal transfer the land or building to the Fund out of which the home of residence is or was maintained, and the land or building or the proceeds of sale thereof shall be treated as capital of the said Fund and that capital shall not be applicable for the purposes of the said Fund other than the acquisition of land or buildings for use as or for the purposes of a home of residence:
Provided that—
 - (i) where the property proposed to be transferred consists of or comprises a gift of property required to be used specifically as or for the purposes of the home of residence, the transfer shall not be made without the sanction of an order of the [^{F12}Charity Commission], and the order may vary the trusts so as to allow the transfer without special directions as to the application of the property or proceeds or may give such directions, which may be varied or revoked by a subsequent order of the [^{F12}Charity Commission];
 - (ii) save as aforesaid, the powers of the Board under this subsection shall have effect subject to any expressed directions of the testators or other donors relating to the manner in which the assets concerned are to be applied.

Textual Amendments

- F9** S. 4(1) repealed by [Clergy Pensions \(Amendment\) Measure 1982 \(No. 2, SIF 21:5\)](#), s. 2(3)
- F10** Words repealed by [Clergy Pensions \(Amendment\) Measure 1982 \(No. 2, SIF 21:5\)](#), s. 2(3)
- F11** Words in s. 4(4) substituted (1.5.2003) by [Church of England \(Pensions\) Measure 2003 \(No. 2\)](#), ss. 2(5), 7(2); S.I. 2003/1, Instrument made by Archbishops
- F12** Words in s. 4(5) substituted (27.2.2007) by [Charities Act 2006 \(c. 50\)](#), s. 79(2), [Sch. 8 para. 48](#); S.I. 2007/309, art. 2, Sch.

Modifications etc. (not altering text)

- C3** S. 4 amended by [Clergy Pensions \(Amendment\) Measure 1972 \(No. 5, SIF 21:5\)](#), s. 6(3)
- C4** The text of S. 4(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Status: Point in time view as at 27/02/2007.

Changes to legislation: There are currently no known outstanding effects for the Clergy Pensions (Amendment) Measure 1967 (repealed). (See end of Document for details)

5 F13

Textual Amendments
F13 S. 5 repealed (with saving) by S.I. 1985/2081, regs. 3(2), 5(a)

6 Construction, interpretation and short title.

- (1) This Measure shall be construed as one with the principal Measure.
- (2) In this Measure “the principal Measure” means the ^{M1}Clergy Pensions Measure 1961.
- (3) This Measure may be cited as the Clergy Pensions (Amendment) Measure 1967.

Marginal Citations
M1 1961 No. 3.

Status:

Point in time view as at 27/02/2007.

Changes to legislation:

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