



Church Property (Miscellaneous Provisions) Measure 1960

1960 No. 1 8 and 9 Eliz 2

PART V

PROVISIONS RELATING TO THE CHURCH ESTATES COMMISSIONERS

19 Provisions as to title, property and functions of the Church Estates Commissioners.

- (1) The Church Estates Commissioner appointed by the Archbishop of Canterbury under section one of the ^{M1}Ecclesiastical Commissioners Act 1850 shall be called Third Church Estates Commissioner.
- (2) All land vested in the First Church Estates Commissioner and all stocks, funds and securities held by the Church Estates Commissioners are hereby transferred to the Commissioners and shall by virtue of this section and without any conveyance, assignment, transfer or other assurance vest in the Commissioners:
Provided that the vesting of property by virtue of this subsection shall not affect any previously existing trust or mortgage or other charge affecting the property, or any previously existing lease or tenancy thereof.
- (3) ^{F1}
- (5) Where any stock is standing in the books of a company in the names of the persons who are for the time being Church Estates Commissioners, a request by the secretary of the Commissioners and production of a copy of this Measure printed by or for the Queen's Printer of Acts of Parliament shall be sufficient authority to the company to transfer the stock into the name of, and to pay dividends on the stock to, the Commissioners.

In this subsection the expression—

“company” includes the Bank of England and any company or person keeping books in which any stock is registered or inscribed, and

“stock” includes any share, annuity or other security.

Changes to legislation: There are currently no known outstanding effects for the Church Property (Miscellaneous Provisions) Measure 1960, Part V. (See end of Document for details)

Textual Amendments

F1 S. 19(3)(4) repealed by Statute Law Revision Act 1964 (c. 79)

Marginal Citations

M1 1850 c. 94.

20 Provisions as to pensions of Church Estates Commissioners

[^{F2}(1) The Commissioners shall have power to grant to any First Church Estates Commissioner or Third Church Estates Commissioner who retires from service as such a Commissioner, having served a period of pensionable service, superannuation benefits of such a kind and of such amounts as the Commissioners may determine, being benefits which are no more favourable to the beneficiary than the benefits which would have been payable if the Commissioner had been a member of the Church Administrators Pension Fund who had served an equivalent period of pensionable service.]

^{F3}(2)

[^{F4}(2A) Where a First Church Estates Commissioner or a Third Church Estates Commissioner dies before or after retirement from service as such a Commissioner, having served a period of pensionable service, and leaves a widow or widower [^{F5}(whether or not of the same or the opposite sex to the deceased)], [^{F6}or surviving civil partner], the Commissioners shall have power to grant to the surviving spouse [^{F7} or civil partner], subject to such conditions as they may determine, superannuation benefits of such a kind and of such amounts as the Commissioners may determine, being benefits which are no more favourable to the beneficiary than the benefits which would have been payable if the Commissioner had been a member of the Church Administrators Pension Fund who had served an equivalent period of pensionable service.]

(3) In this section the expression “ pensionable service [^{F8}, in relation to a Church Estates Commissioner.] ” means service as First Church Estates Commissioner or as Third Church Estates Commissioner, and where any person has performed a period of service as First Church Estates Commissioner and a period of service as Third Church Estates Commissioner the two periods shall be aggregated for the purpose of determining the length of his pensionable service for the purposes of this section.

^{F9}(4)

[^{F10}(4) In determining the amount of any superannuation benefits to be granted to a person under this section the Commissioners shall have regard to any superannuation benefits to which that person may be entitled in respect of any other service performed by the First or Third Church Estates Commissioner before the Commissioner's pensionable service began.]

Textual Amendments

F2 S. 20(1) substituted (1.6.2005) by Church of England (Miscellaneous Provisions) Measure 2005 (No. 3) , ss. 5(2) , 11(2) (with s. 5(7)); 2005 No. 2 , Instrument made by Archbishops

F3 S. 20(2) repealed (1.6.2005) by Church of England (Miscellaneous Provisions) Measure 2005 (No. 3) , ss. 5(3) , 11(2) (with s. 5(7)); 2005 No. 2 , Instrument made by Archbishops

Changes to legislation: There are currently no known outstanding effects for the Church Property (Miscellaneous Provisions) Measure 1960, Part V. (See end of Document for details)

- F4** S. 20(2A) substituted (1.6.2005) by Church of England (Miscellaneous Provisions) Measure 2005 (No. 3) , **ss. 5(4)** , 11(2) (with s. 5(7)); 2005 No. 2 , Instrument made by Archbishops
- F5** Words in s. 20(2A) inserted (10.12.2014) by The Marriage (Same Sex Couples) Act 2013 and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Provisions) Order 2014 (S.I. 2014/3061), art. 1(2), **Sch. 3 para. 1**
- F6** Words in s. 20(2A) inserted (5.12.2005) by The Civil Partnership (Judicial Pensions and Church Pensions, etc.) Order 2005 (S.I. 2005/3325), arts. 1(1), **79(a)**
- F7** Words in s. 20(2A) inserted (5.12.2005) by The Civil Partnership (Judicial Pensions and Church Pensions, etc.) Order 2005 (S.I. 2005/3325), arts. 1(1), **79(b)**
- F8** Words in s. 20(3) inserted (1.6.2005) by Church of England (Miscellaneous Provisions) Measure 2005 (No. 3) , **ss. 5(5)** , 11(2) (with s. 5(7)); 2005 No. 2 , Instrument made by Archbishops
- F9** S. 20(4) repealed (1.6.2005) by Church of England (Miscellaneous Provisions) Measure 2005 (No. 3) , s. 11(2) , **Sch. 5** ; 2005 No. 2 , Instrument made by Archbishops
- F10** S. 20(4) added (1.6.2005) by Church of England (Miscellaneous Provisions) Measure 2005 (No. 3) , **ss. 5(6)** , 11(2) (with s. 5(7)); 2005 No. 2 , Instrument made by Archbishops

Modifications etc. (not altering text)

- C1** The text of ss. 1, 2(1)(2), 3(1)(2), 4(1), 5, 6(2), 12(2), 15, 20(4), 22 and Sch. 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.

Changes to legislation:

There are currently no known outstanding effects for the Church Property (Miscellaneous Provisions) Measure 1960, Part V.