



Endowments and Glebe Measure 1976

1976 No. 4

Payments by Church Commissioners towards stipends of certain clergy, etc.

4 Provisions with respect to benefices entitled to benefits under certain private or local Acts.

- (1) Schemes under this section may be made by the Commissioners and the provisions of Schedule 1 to this Measure shall have effect with respect to the making and confirmation of such schemes and other matters relating thereto.
- (2) A scheme under this section may provide—
 - (a) that any property vested in the Commissioners under or by virtue of any Act listed in Part I of Schedule 2 to this Measure and section 2 of the ^{M1}Church Commissioners Measure 1947 on trusts to apply the income and capital thereof in the manner directed by that Act shall on and after the date on which the scheme comes into operation be held by the Commissioners as part of their corporate property freed and discharged from those trusts;
 - (b) that any property for the time being vested in any other persons under or by virtue of the Acts listed in Part II of that Schedule on trusts to apply the income and capital thereof in the manner directed by those Acts shall on the said date be transferred to, and by virtue of the scheme and without any conveyance or other assurance vest in, the Commissioners to be held by them as part of their corporate property freed and discharged from those trusts.
- (3) Where it is proposed by a scheme under this section to make provision in accordance with paragraph (a) or (b) of subsection (2) above, the scheme shall also provide that where by virtue of the Act to which the scheme relates the incumbent of a benefice is immediately before the date on which the scheme comes into operation entitled to be paid by the Commissioners or other the trustees for the purposes of that Act an annual sum in respect of, or in augmentation of, his stipend, sections 1 and 2(1) of this Measure shall apply in relation to that benefice and the incumbent thereof—
 - (a) as if that sum had formed part of the net annual endowment income of that benefice immediately before the appointed day; and
 - (b) as if the second reference in section 1(1) and in section 2(1) to the appointed day were a reference to the date on which the scheme comes into operation;

Changes to legislation: There are currently no known outstanding effects for the Endowments and Glebe Measure 1976, Section 4. (See end of Document for details)

and accordingly, but subject to section 1(6) of this Measure, as from the said date a guaranteed annuity in respect of that benefice shall be payable or, as the circumstances require, the amount of the guaranteed annuity then payable in respect of that benefice shall be increased, and if at that date the benefice is full and the incumbent thereof then becomes, or is, entitled to an annual personal grant under section 2 of this Measure, that grant shall be payable, or the amount thereof shall be increased, as the case may be, as from that date.

- (4) A scheme under this section may contain such other provisions, including provision for the making of payments for ecclesiastical purposes out of the Commissioners' general fund or for charging that fund with payments for those purposes, as appear to the Commissioners to be necessary or expedient having regard to the provisions of this Measure and of the Act to which the scheme relates.
- (5) A scheme under this section may amend or repeal any provision of the Act to which the scheme relates if it appears to the Commissioners that that provision is inconsistent with or rendered unnecessary by the provisions of the scheme and may repeal any other provision of that Act which appears to the Commissioners to be obsolete or spent.

Marginal Citations

M1 1947 No. 2.

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