Church Dignitaries (Retirement) Measure 1949

1949 No. 1 12 13 and 14 Geo 6

PART I E

RETIREMENT FOR INCAPACITY

3 Pension rights of dignitary on vacation of office. E

(1) A dignitary whose office is vacated by a declaration under this Part of this Measure shall as from the date of vacation—

[[F1](a) shall be entitled to receive a pension under the [M1]Clergy Pensions Measure 1961 at the rate specified in Part I of the First Schedule to that Measure if he has attained the retiring age within the meaning of that Measure or, if he has not attained that age, a pension at the rate specified in Part II of that Schedule**]**;

(b) where by the report of the cathedral chapter the grant of an additional pension has been recommended, be granted such additional pension as may be agreed, if the dignitary is a member of the said cathedral chapter, between the bishop and the administrative chapter or cathedral council of the cathedral church or, if the dignitary is not a member of the said cathedral chapter, as may be agreed between the bishop and the diocesan board of finance; so however that the annual sum secured to the dignitary by way of additional pension shall not be less than the amount recommended by the report:

Provided that—

(i) where the dignitary is an archdeacon who is also a member of the said cathedral chapter, and the proceedings under this Part of this Measure have been instituted in respect of him in his capacity of archdeacon, this paragraph shall apply as if he were not a member of such chapter; and

(ii) where the person entitled to any such additional pension accepts any preferment or office of profit or is otherwise engaged in a gainful occupation, the body by whom the additional pension is payable may

with the consent of the bishop suspend the pension or reduce the pension by such amount as they think fit, so long as he holds the preferment or office or is so engaged.

(2) . . . . . [F2]

(3) Any sums payable in respect of such additional pension shall be paid by the administrative chapter or cathedral council, or by the diocesan board of finance which agreed to the grant thereof, in such manner, at such times and in such instalments as may be prescribed.

(4) For the purpose of providing such additional pension, an administrative chapter or cathedral council may charge the capitular revenues, or such part thereof as is applicable to the provision or augmentation of the stipends of members of the chapter, with the amount payable by way of additional pension.

Textual Amendments

F1 S. 3(1)(*a*) substituted by Clergy Pensions Measure 1961 (No. 3), **Sch. 2**

F2 S. 3(2) repealed by Clergy Pensions Measure 1961 (No. 3), **Sch. 2**

Marginal Citations

M1 1961 No. 3.

Changes to legislation:
There are currently no known outstanding effects for the Church Dignitaries (Retirement) Measure 1949, Section 3.