



# Incumbents (Vacation of Benefices) Measure 1977

1977 No. 1

## PART III **E**

### ENQUIRIES AND SUBSEQUENT PROCEEDINGS

#### 14 Provision with respect to pension of incumbent found to be unable to perform duties attaching to benefice. **E**

(1) Where—

- (a) after an enquiry under Part I of this Measure in which the [<sup>F1</sup>committee or] tribunal [<sup>F1</sup>, as the case may be,] reported to the bishop in accordance with section 9(2) thereof; or
- (b) after an enquiry under Part II thereof,

the incumbent concerned resigns his benefice consequent upon a notification from the bishop under section 11(2)(a) of this Measure or the bishop has declared the benefice of the incumbent vacant under that section, the incumbent shall be deemed for the purposes of [<sup>F2</sup>the Church of England Pensions Measure 2018] to have become incapable through infirmity of performing the duties of his office on the date on which his resignation took effect or the date on which by virtue of the declaration his benefice became vacant, as the case may be, and to have satisfied the Church of England Pensions Board that he was so incapable and that the infirmity was likely to be permanent.

- (2) Subsection (1) above shall not apply to an incumbent who at whichever of the dates mentioned in that subsection applies in his case has attained the retiring age within the meaning of [<sup>F3</sup>the Church of England Pensions Measure 2018].

#### Textual Amendments

- F1** Words in s. 14(1) repealed (1.9.1994) by 1993 No. 1, ss. 14(2), 16(2), **Sch.4** (with s. 15); Instrument dated 25.7.1994 made by Archbishops of Canterbury and York

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**Changes to legislation:** *There are currently no known outstanding effects for the Incumbents (Vacation of Benefices) Measure 1977, Section 14. (See end of Document for details)*

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| <p><b>F2</b> Words in s. 14(1) substituted (1.3.2019) by <a href="#">Church of England Pensions Measure 2018 (No. 9)</a>, s. 61(2), <a href="#">Sch. 3 para. 4(2)</a>; S.I. 2019/98, art. 2</p> <p><b>F3</b> Words in s. 14(2) substituted (1.3.2019) by <a href="#">Church of England Pensions Measure 2018 (No. 9)</a>, s. 61(2), <a href="#">Sch. 3 para. 4(3)</a>; S.I. 2019/98, art. 2</p> |
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