



Stipends (Cessation of Special Payments) Measure 2005

2005 No. 1

1 Cessation of guaranteed annuities

- (1) Subject to the following provisions of this section, no guaranteed annuity shall be payable by the Commissioners under the 1976 Measure in respect of any benefice towards the stipend of the incumbent of that benefice after the cessation date or, if the benefice is vacant on the date of the coming into force of this section, after that date.
- (2) As soon as practicable after the date of the coming into force of this section, the Commissioners shall serve a notice, in writing, on the incumbent of each benefice, except any benefice which is vacant on that date, in respect of which a guaranteed annuity is payable, informing the incumbent of the effect of this section and stating that the incumbent has the right, not later than the date specified in the notice, being a date not less than three months from the date of the notice, to notify the Commissioners in writing that the incumbent wishes the guaranteed annuity to continue to be paid to the incumbent.
- (3) Subject to subsection (4) below, if, before the specified date, or such later date as the Commissioners may allow in a particular case, the Commissioners are notified by an incumbent as provided by subsection (2) above, the guaranteed annuity shall continue to be payable to the incumbent as long as that incumbent remains in office either in the same benefice or in any new benefice created by the union of that benefice and one or more other benefices.
- (4) If an incumbent has notified the Commissioners as provided by subsection (2) above, the incumbent may at any time notify the Commissioners in writing that the incumbent no longer wishes to receive the guaranteed annuity, whereupon the guaranteed annuity shall cease to be payable—
 - (a) if the notification under this subsection is received before the cessation date, on that date, and
 - (b) if such notification is received on or after that date, forthwith.
- (5) Subsections (1) and (2) above shall not have effect in relation to an incumbent to whom, on the date of the coming into force of this section, a guaranteed annuity and

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an annual personal grant are payable and, in such a case, notwithstanding anything in section 1 of the 1976 Measure, the guaranteed annuity shall continue to be payable only so long as that incumbent remains in office.

Commencement Information

II S. 1 in force at 1.7.2005 by S.I. 2005/3, Instrument made by Archbishops

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