

## SCHEDULES

### SCHEDULE 4

#### COMPENSATION OF CLERGY

- 11 (1) Subject to the following provisions of this paragraph, where any benefice, archdeaconry or office is dissolved, abolished, vacated or resigned in the circumstances mentioned in paragraphs 1 and 2—
- (a) any period thereafter and before the retirement of the holder during which he or she is not in pensionable service within the meaning of the [Clergy Pensions Measure 1961 \(9 & 10 Eliz. 2 No. 3\)](#) (“the 1961 Measure”) shall be deemed for the purposes of that Measure and this paragraph to be a period of pensionable service, except that any period after the happening of any of the events mentioned in paragraph 9 shall be excluded;
  - (b) on attaining the retiring age within the meaning of that Measure, he or she shall be deemed to retire for the purposes of that Measure and this paragraph, unless he or she is then in actual pensionable service, and, if his or her total period of pensionable service is less than the qualifying period of such service for the purposes of that Measure, it shall be deemed to be increased to that period;
  - (c) the mission and pastoral committee may, if he or she is deemed to retire as mentioned in sub-paragraph (1)(b) and his or her total period of pensionable service is less than the prescribed period, add to his or her pension and the pension (if any) of his or her surviving spouse or surviving civil partner or dependant periodical payments not exceeding the amount necessary to bring the pension up to the amount that it would have been if the total period had been the prescribed period.

In this sub-paragraph “the prescribed period”, in relation to a person who is deemed to retire for the purposes of that Measure and this paragraph, means the minimum period of pensionable service the performance of which by him or her would entitle him or her to a pension of the highest rate applicable in his or her case.

- (2) This paragraph shall apply in relation to any lump sum payable in accordance with any rules made under section 3 of the [Clergy Pensions \(Amendment\) Measure 1967 \(1967 No. 1\)](#) to a person entitled to a pension under the 1961 Measure as they apply in relation to a pension thereunder.
- (3) The mission and pastoral committee may, with the agreement of the Church of England Pensions Board and the incumbent, archdeacon or holder of any other ecclesiastical office who is subject to Common Tenure or (if he is dead) his or her surviving spouse or surviving civil partner or dependant make such modification of the provisions of this paragraph or substitute such other provisions as may appear to the committee to be more appropriate to the particular circumstances of the case and not less advantageous to the incumbent, archdeacon or holder of such an ecclesiastical office or his or her surviving spouse or surviving civil partner or dependant.

---

*Status: This is the original version (as it was originally enacted).*

---

- (4) Compensation shall not be payable for any loss which the incumbent, archdeacon or holder of an ecclesiastical office who is subject to Common Tenure might suffer by reason of the provision in sub-paragraph (1)(b) that on attaining the retiring age within the meaning of the 1961 Measure he or she is deemed to retire for the purposes of that Measure and this paragraph, and, except as provided by sub-paragraph (1)(c), compensation shall cease to be payable when he or she attains that age.
- (5) In determining the amount of the compensation, if any, to which the incumbent, archdeacon or holder of an ecclesiastical office who is subject to Common Tenure is entitled under this Schedule in respect of any period before he or she retires or is deemed to retire for the purposes of the 1961 Measure and this paragraph, any benefit which may accrue to him by virtue of sub-paragraph (1) shall be disregarded.
- (6) Any reference in this paragraph to the 1961 Measure shall be construed as a reference to that Measure as amended by any regulations approved under section 6 of the Clergy Pensions (Amendment) Measure 1972 (1972 No. 5).