



# Clergy Pensions Measure 1961

1961 No. 39 and 10 Eliz 2

## PART III

### FINANCE AND ADMINISTRATION

#### *Constitution of the Board*

#### **21 Constitution of Board.**

- (1) There shall continue to be a board to be called “The Church of England Pensions Board” (in this Measure referred to as “the Board”) and the Board shall exercise and perform the functions assigned to them by this Measure.
- (2) The Board shall be a body corporate with perpetual succession and a common seal.
- (3) The Board shall consist of a chairman appointed by the Church Assembly and [<sup>F1</sup>twenty-one] other members appointed or elected as follows:—
  - (a) sixteen members shall be elected by the Church Assembly of whom eight shall be persons ordinarily resident in the Province of Canterbury and eight shall be persons ordinarily resident in the Province of York;
  - (b) five members shall be appointed by the Commissioners of whom one shall be a diocesan bishop; . . . <sup>F2</sup>
- (4) Subject to the provisions of this section, the chairman of the Board shall hold office for such period as the Church Assembly may determine, not being longer than six years, and the other members of the Board shall hold office for a period of six years:  
Provided that where there is delay in electing or appointing new members, the existing elected or appointed members of the Board shall, notwithstanding the expiration of the period for which they were elected or appointed, as the case may be, continue to hold office until the election or appointment of their successors.
- (5) A casual vacancy occurring among the members of the Board appointed by the Commissioners shall be filled as soon as possible by the Commissioners, and [<sup>F3</sup>any casual vacancy occurring among members elected by the General Synod shall be filled as soon as possible by the Standing Committee of the Synod by the appointment of a

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person ordinarily resident in the province in which the member replaced was ordinarily resident at the time of his election.]

- (6) A person elected or appointed to fill a casual vacancy shall hold office only for the remainder of the period for which the member replaced would have held office.
- (7) The chairman and any other member of the Board vacating office shall be eligible for re-election or re-appointment.
- (8) The chairman or any other member of the Board may for good cause be removed from office by the body by whom he was elected or appointed.
- (9) The Board may act notwithstanding a vacancy among the members thereof.
- (10) The quorum of the Board shall be seven.
- (11) Subject to the foregoing provisions of this section, the Board may make standing orders regulating their own procedure.
- (12) The common seal of the Board shall be judicially noticed and shall be authenticated by the signature of the secretary or of some other officer of the Board authorised by the Board to act for that purpose.
- (13) Any document purporting to be a document duly executed under the seal of the Board shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

#### **Textual Amendments**

- F1** Words substituted by [Church of England \(Pensions\) Measure 1988 \(No. 4, SIF 21:5\)](#), ss. 10(3), 18(1), [Sch. 2 para. 9\(a\)](#)
- F2** Words from “and (c) not more than” to the end of subsection (3) repealed by [Church of England \(Pensions\) Measure 1988 \(No. 4, SIF 21:5\)](#), ss. 10(3), 18(1), [Sch. 2 para. 9\(a\)](#)
- F3** Words substituted for from “any other casual vacancy” to the end of the subsection by [Church of England \(Pensions\) Measure 1988 \(No. 4, SIF 21:5\)](#), ss. 10(3), 18(1), [Sch. 2 para. 9\(b\)](#)

## **22 Provisions as to officers and servants, and working expenses, of the Board.**

- (1) Subject to the provisions of this Measure, the Board may appoint such officers and servants as may be necessary for the purpose of carrying this Measure into effect, and may determine their duties and remuneration.
- (2) The Commissioners shall defray out of their general fund:—
  - (a) the salaries or other remuneration of the officers and servants of the Board, and
  - (b) the working expenses of the Board.
- (3) The Commissioners may, after consultation with the Board, give to the Board directions of a general character as to the employment by them of officers and servants, as to the salaries or other remuneration of their officers and servants, and as to the incurring by the Board of working expenses, in so far as it appears to the Commissioners that things done as to any of those matters will or may affect substantially the amount of the liability imposed on their general fund thereby, and the Board shall give effect to any such directions.

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## **23 Appointment of committees.**

- (1) The Board may, if they think fit, appoint committees consisting of members of the Board and, subject to the provisions of this Measure, may delegate to such committees any of their functions.
- (2) The Board may appoint any persons or any body of persons, whether members of the Board or not, to act, upon such terms and conditions as may be laid down by the Board, as local committees for any areas, whether dioceses or not, and, subject to the provisions of this Measure, may delegate to such committees any of their functions.

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