A

MEASURE

PASSED BY

The National Assembly of the Church of England

To establish a pension scheme for suffragan bishops; to provide for increased pension contributions by diocesan bishops; to enable provision to be made for the widows of bishops; and to amend in certain respects the existing Measures relating to clergy and episcopal pensions. [15th June 1945.]

Pensions payable to suffragan bishops.

1.—(1) Subject to the provisions of this Measure every suffragan bishop who resigns his bishopric on or after attaining the age of seventy years, or at an earlier age by reason of physical or mental disability, shall be entitled to receive from the Ecclesiastical Commissioners during the remainder of his life a pension of five hundred pounds per annum, payable by the Ecclesiastical Commissioners out of their common fund in four equal instalments on the thirty-first day of March the thirtieth day of June the thirtieth day of September and the thirty-first day of December in each year in respect of the quarters ending on those days, subject to such apportionment of the first and last instalments as the Commissioners may think equitable.

(2) Before paying any pension to a suffragan bishop under this section, the Ecclesiastical Commissioners shall satisfy themselves, by such evidence as they may deem sufficient, either that he has attained the age of seventy years or that by reason of physical or mental disability he is incapacitated from the due performance of his duties as a suffragan bishop.

(3) A suffragan bishop who has been exempted or excluded from the provisions of the Clergy Pensions Measure, 1926, shall not be entitled to a pension under subsection (1) of this section, but only to such pension (if any) as the Ecclesiastical Commissioners may think just and equitable, having regard to all the circumstances of the case. 16 & 17 Geo 5. No. 6.

Contributions payable by or on behalf of suffragan bishops.

2.—(1) After the passing of this Measure every suffragan bishop shall, so long as he holds a suffragan bishopric, pay to the Ecclesiastical Commissioners for the benefit of their common fund an annual contribution of fifty pounds in four equal instalments on the thirty-first day of March the thirtieth day of June the thirtieth day of September and the thirty-first day of December in every year, in respect of the quarters ending on those days, subject to such apportionment of the first and last instalments as the Commissioners may think equitable.

(2) The pensions authority—

(*a*) in the case of a person holding a suffragan bishopric at the date of the passing of this Measure; and

(*b*) in the case of a person appointed to a suffragan bishopric after that date upon such appointment;

shall transfer to the Ecclesiastical Commissioners the amount of any contributions paid to them by that person under the Clergy Pensions Measures together with compound interest thereon at the rate of two pounds ten shillings per cent. per annum calculated with annual rests from the dates of payment thereof.

Contributions payable by or on behalf of diocesan bishops. 16 & 17 Geo. 5. No. 7.

3. For the purpose of reducing the charge imposed by this Measure and the Episcopal Pensions Measure, 1926, on the common fund of the Ecclesiastical Commissioners—

(*a*) every diocesan bishop shall as from the passing of this Measure, or as from the date of his becoming a diocesan bishop, whichever may be the later, instead of contributing the amount payable in respect of his bishopric under section four of the Episcopal Pensions Measure, 1926, (or in the case of a bishop of Sodor and Man under the Episcopal Pensions (Sodor and Man) Measure, 1931,) pay to the Ecclesiastical Commissioners for the benefit of their common fund at the times and in the manner specified in section two of this Measure, an annual contribution of the amount payable in respect of his bishopric under the Schedule to this Measure:

21 & 22 Geo. 5. No. 1.

Provided that this paragraph shall not apply to any bishop holding a diocesan bishopric at the passing of this Measure except upon his request in writing addressed to the Ecclesiastical Commissioners:

(*b*) Where after the passing of this Measure a person becomes a diocesan bishop, the pensions authority, in lieu of making to him any payment which but for the provisions of this section he would have been entitled to claim in respect of contributions paid to them by him under the Clergy Pensions Measures, shall transfer to the Ecclesiastical Commissioners the amount of any such

contributions together with compound interest thereon at the rate of two pounds ten shillings per cent. per annum calculated with annual rests from the dates of payment thereof.

Cesser of rights and obligations under Clergy Pensions Measures.

4. All rights and obligations under the Clergy Pensions Measures and the Older Incumbents Measure to which a person holding or appointed to a suffragan bishopric may be entitled or subject shall as from the passing of this Measure or as from the date of his becoming a suffragan bishop, whichever may be the later, finally cease and determine.

Provisions as to suffragan bishops afterwards holding other ecclesiastical office.

5.—(1) If a person who has held a suffragan bishopric afterwards becomes a diocesan bishop, all his rights and obligations as a suffragan bishop under this Measure shall finally cease and determine.

(2) If a person who has held a suffragan bishopric, and has become entitled to receive a pension under this Measure, afterwards holds another suffragan bishopric, then during his tenure of that bishopric—

(*a*) his pension shall be suspended, and

(*b*) he shall be liable to contribute in respect of that bishopric as if he had never become entitled to a pension under this Measure.

(3) If a person who has held a suffragan bishopric and has become entitled to receive a pension under this Measure holds or is appointed to any ecclesiastical office or preferment other than a diocesan or suffragan bishopric, then during his tenure of such other ecclesiastical office or preferment—

(*a*) if the remuneration received by him in respect thereof is equal to or greater than the pension, the pension shall be suspended;

(*b*) if such remuneration is less than the pension, the pension shall be reduced by the amount of the remuneration;

(*c*) he shall pay to the Ecclesiastical Commissioners by the instalments mentioned in section two of this Measure an annual sum of ten pounds in respect of every hundred pounds of such remuneration, or an annual sum of fifty pounds, whichever may be the less.

(4) If a person who has held a suffragan bishopric, but has not become entitled to receive a pension under this Measure, holds or is appointed to any ecclesiastical office or preferment other than a diocesan or suffragan bishopric, then—

(*a*) during his tenure of such other ecclesiastical office or preferment he shall pay to the Ecclesiastical Commissioners an annual sum of fifty pounds in the manner specified in section two of this Measure and

(*b*) on resigning such other ecclesiastical office or preferment on or after attaining the age of seventy years, or at an earlier age by reason of physical or mental disability, he shall be entitled to receive from the Ecclesiastical Commissioners a pension of five hundred pounds as if he had then resigned a suffragan bishopric.

(5) For the purposes of this section the Ecclesiastical Commissioners shall have power to determine conclusively any question as to the amount of the remuneration received in respect of any ecclesiastical office or preferment.

Provisions for the widows of bishops.

6.—(1) If a suffragan bishop or any person becoming a diocesan bishop after the passing of this Measure dies before entering into receipt of a pension under this Measure leaving a widow him surviving, such widow shall receive a pension for life of a capitalised value of five hundred pounds at the death of such bishop, in accordance with the scale set out in the table contained in Part II of the Schedule to the Widows Measure.

(2) In any exceptional case where the Ecclesiastical Commissioners are of opinion that a capital sum will be of special benefit to a widow, the Commissioners may at any time at their discretion with the consent of such widow commute the whole or any part of the pension payable to her under this Measure for such capital sum as is estimated to be the actuarial equivalent thereof, and pay such capital sum to her.

(3) Any diocesan or suffragan bishop may make provision for his widow by entering into an agreement with the pensions authority under Part II of the Widows Measure and the relevant provisions of that Measure shall apply accordingly, and for that purpose such bishop may at any time before his retirement surrender to the pensions authority not more than one half of any pension or prospective right to a pension secured to him by the Episcopal Pensions Measure, 1926, or by this Measure. Nothing in this Measure shall affect any such agreement entered into by any person before becoming a bishop.

(4) Save as aforesaid, no pension or right under this Measure shall be capable of being assigned, charged or anticipated, and every purported assignment or charge upon or anticipation of the same shall be void, and the same shall not pass to any trustee in bankruptcy of the pensioner.

Power to contract for a reduced pension.

7. Any diocesan or suffragan bishop prospectively entitled to a pension under the Episcopal Pensions Measure, 1926, or under this Measure, may enter into an agreement with the Ecclesiastical Commissioners for a reduction of his pension to any amount not less than £200 per annum and for a proportionate reduction of the annual contributions payable by him under this Measure.

8. In this Measure— Interpretation.

(*a*) the following expressions have the meaning hereby respectively assigned to them—

" bishop " includes an archbishop ;

" bishopric " includes an archbishopric ;

" diocesan bishop " means the bishop of any diocesan bishopric in England, whether created before or after the passing of this Measure, including the bishopric of Sodor and Man ;

" suffragan bishop " means the bishop of any suffragan bishopric in England, whether created before or after the passing of this Measure ;

" pensions authority " means the Church of England Pensions Board constituted under the Clergy Pensions Measure, 1926 ;

" Clergy Pensions Measures " means the Clergy Pensions Measures, 1926 to 1936 ;

" Older Incumbents Measure " means the Clergy Pensions (Older Incumbents) Measure, 1930 ; 20 & 21 Geo. 5. No. 6.

" Widows Measure " means the Clergy Pensions (Widows and Dependants) Measure, 1936 ; 26 Geo. 5 & 1 Edw. 8. No. 3.

(*b*) Contributions paid by any person to the pensions authority under the Clergy Pensions Measures include any lump sum paid by such person under section four subsection (1) paragraph (iii) of the Clergy Pensions (Amendment) Measure, 1936, and any moneys received by the pensions authority in respect of such person under reciprocal arrangements authorised by section 30 of the Clergy Pensions Measure, 1926. 26 Geo. 5 & 1 Edw. 8. No. 1.

9.—(1) In section one, subsection (1) paragraph (*a*) of the Clergy Pensions Measure, 1926, as amended by section two of the Clergy Pensions (Amendment) Measure, 1936, the words " bishop suffragan " are hereby repealed. Repeal.

(2) Section six of the Episcopal Endowments and Stipends Measure, 1943, is hereby repealed. 6 & 7 Geo. 6. No. 2.

10. This Measure may be cited as the Episcopal Pensions Measure, 1945. Short Title

SCHEDULE.

Contributions payable by diocesan bishops:—

Archbishop of Canterbury or York	...	...	£150 per annum
Bishop of London or Durham	...	...	£100 „ „
Any other diocesan bishop...	...	...	£ 80 „ „

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