



# Bishops (Retirement) Measure 1986

1986 No. 1

## PART III

### GENERAL PROVISIONS

#### **7 Provisions as to pensions.**

Where a bishopric is declared vacant under section 3 or an archbishopric is declared vacant under section 6 of this Measure, the bishop or archbishop shall be treated for the purposes of sections 1 of the <sup>M1</sup> Clergy Pensions Measure 1961 as having retired on the ground of infirmity on the date from which the bishopric or archbishopric is declared vacant.

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#### **Marginal Citations**

**M1** 1961 No. 3.

#### **8 Effect of declaration of vacancy.**

- (1) Where a bishopric or archbishopric has been declared vacant under this Measure, any other preferment held by the bishop or archbishop shall also be vacated unless in the case of a bishopric the archbishop, or in the case of an archbishopric Her Majesty, declares that it shall not be vacated.
- (2) Any such declaration shall be made in the written instrument, endorsement or Order in Council declaring the bishopric or archbishopric vacant.

#### **9 Fee for legal officers.**

No fee shall be prescribed under the <sup>M2</sup> Ecclesiastical Fees Measure 1962 in respect of any specific duty imposed on any legal officer by virtue of the provisions of this Measure; in this section “legal officer” has the same meaning as in the Ecclesiastical Fees Measure 1962.

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Bishops (Retirement) Measure 1986, Part III. (See end of Document for details)*

#### Marginal Citations

M2 1962 No. 1.

## 10 Interpretation.

- (1) In this Measure the following expressions have the meanings hereby respectively assigned to them unless the context otherwise requires, that is to say:— “archbishop” in relation to any diocesan bishop means the archbishop of the province in which his diocese is situated and in relation to any suffragan bishop means the archbishop of the province in which the diocese of the bishop to whom he is suffragan is situated ; “medical examination” means an examination into the physical or mental abilities of the person demanding the examination by a medical practitioner agreed on between that person and the person or persons requesting his resignation or, failing such agreement, appointed by the President of the Royal College of Physicians; “preferment” includes an archbishopric, a bishopric, archdeaconry, deanery or office in a cathedral or collegiate church, and a benefice, and every curacy, lectureship, readership, chaplaincy, office or place which requires the discharge of any spiritual duty ; “prescribed” means prescribed by the Vicars-General of the provinces of Canterbury and York acting jointly.
- (2) In this Measure the expression “diocesan bishop” shall not include an archbishop.
- (3) The powers exercisable by an archbishop under this Measure shall, during the absence abroad or incapacity through illness of the archbishop or a vacancy in the see, be exercisable by the archbishop of the other province.
- (4) For the purposes of this Measure, the seniority of a diocesan bishop after the Bishops of London and Winchester in the province of Canterbury and after the Bishop of Durham in the province of York shall be determined by length of service as a diocesan bishop within the provinces except that any diocesan bishop who by reason of illness or absence is unable to act or whose retirement is in question shall be disregarded.

## 11 Minor and consequential amendments.

- (1) In section 3(1) of the <sup>M3</sup>Ecclesiastical Offices (Age Limit) Measure 1975 there shall be added at the end the words “except that a diocesan bishop may exercise his powers under this subsection in relation to a suffragan bishop only after consultation with the archbishop of the province.”
- (2) In subsections (1), (9) and (13) of section 8 of the <sup>M4</sup>Church of England (Miscellaneous Provisions) Measure 1983 for any reference to a deed there shall be substituted a reference to an instrument.

#### Marginal Citations

M3 1975 No. 2.

M4 1983 No. 2.

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*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Bishops (Retirement) Measure 1986, Part III. (See end of Document for details)*

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## **12 Repeals.**

- (1) Any rule of law or custom with respect to the resignation or retirement of an archbishop or a bishop is hereby abrogated.
- (2) The enactments specified in the Schedule to this Measure are hereby repealed to the extent specified in column 3 of that Schedule.

## **13 Short title, extent and commencement.**

- (1) This Measure may be cited as the Bishops (Retirement) Measure 1986.
- (2) This Measure shall extend to the whole of the provinces of Canterbury and York.
- (3) This Measure shall come into force on such day as the Archbishops of Canterbury and York may jointly appoint.

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### **Modifications etc. (not altering text)**

- C1** Power of appointment conferred by s. 13(3) fully exercised: 1.6.1986 appointed by Instrument dated 30.5.1986

**Status:**

Point in time view as at 01/02/1991.

**Changes to legislation:**

There are currently no known outstanding effects for the Bishops (Retirement) Measure 1986, Part III.