



# Clergy Pensions Measure 1961

1961 No. 39 and 10 Eliz 2

A Measure passed by the National Assembly of the Church of England To consolidate with amendments the Acts of Parliament and Measures of the Church Assembly relating to pensions for clergy and their widows and dependants and to the powers of the Church of England Pensions Board; to provide for increases in the pensions payable to clergy and for making the pensions payable to bishops no longer contributory; to provide for pensions which are not contributory for certain widows of clergy; to confer on the Church of England Pensions Board power to provide homes of residence for retired church workers and their wives and for the widows and dependants of deceased church workers; and for purposes connected with the matters aforesaid. [3rd August 1961]

## Extent Information

- E1** Measure extends to the Provinces of Canterbury and York but does not extend to the Channel Islands see s. 49.

## Modifications etc. (not altering text)

- C1** Power to amend Measure given by [Clergy Pensions \(Amendment\) Measure 1972 \(No. 5\)](#), s. 6
- C2** Measure explained as to date of retirement by [S.I. 1975/136](#), reg. 3; extended by Diocese in [Europe Measure 1980 \(No. 2, SIF 21:1\)](#), s. 5(1); modified by [Pastoral Measure 1983 \(No. 1, SIF 21:4\)](#), s. 26, [Sch. 4 para. 13\(1\)\(2\)\(6\)](#)
- C3** Measure: power to continue conferred (1. 7. 1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 5, 7(2), [Sch. 3 Pt. II para.15](#).
- C4** Measure construed (1.5.2003) as one with [Church of England \(Pensions\) Measure 2003 \(No. 2\)](#), s. 7(2)(4); [S.I. 2003/1](#), Instrument made by Archbishops

## Commencement Information

- I1** Measure wholly in force at Royal Assent.

*Changes to legislation: There are currently no known outstanding effects for the Clergy Pensions Measure 1961. (See end of Document for details)*

**PARTS I AND II**

**1—16.** ..... <sup>F1</sup>

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**Textual Amendments**  
**F1** Pts. I, II (ss. 1–16) repealed by [S.I. 1988/2256, reg. 36, Sch. 2](#)

**PART III**

FINANCE AND ADMINISTRATION

*Financial Provisions*

<sup>F2</sup>**17** **Payments out of general fund of Commissioners.**

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**Textual Amendments**  
**F2** Ss. 1-46 repealed (1.3.2019) by [Church of England Pensions Measure 2018 \(No. 9\), s. 61\(2\), Sch. 5](#) (with [Sch. 4](#)); [S.I. 2019/98, art. 2](#) (with art. 3(1))

<sup>F2</sup>**18** **Clergy (Widows and Dependants) Pensions Fund.**

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**Textual Amendments**  
**F2** Ss. 1-46 repealed (1.3.2019) by [Church of England Pensions Measure 2018 \(No. 9\), s. 61\(2\), Sch. 5](#) (with [Sch. 4](#)); [S.I. 2019/98, art. 2](#) (with art. 3(1))

<sup>F2</sup>**18A** **Clergy (Widows and Dependants) Pensions Fund: power to transfer**

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**Textual Amendments**  
**F2** Ss. 1-46 repealed (1.3.2019) by [Church of England Pensions Measure 2018 \(No. 9\), s. 61\(2\), Sch. 5](#) (with [Sch. 4](#)); [S.I. 2019/98, art. 2](#) (with art. 3(1))

<sup>F3</sup>**19** **Clergy Pensions Augmentation Fund.**

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*Changes to legislation: There are currently no known outstanding effects for the Clergy Pensions Measure 1961. (See end of Document for details)*

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**Textual Amendments**

- F3** S. 19 repealed (1.5.2003) by [Church of England \(Pensions\) Measure 2003 \(No. 2\)](#), ss. 6, 7(2), [Schs.](#); [S.I. 2003/1](#), Instrument made by Archbishops

**F<sup>4</sup>20 Clergy (Widows and Dependants) Pensions Augmentation Fund.**

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**Textual Amendments**

- F4** S. 20 repealed (1.5.2003) by [Church of England \(Pensions\) Measure 2003 \(No. 2\)](#), ss. 6, 7(2), [Schs.](#); [S.I. 2003/1](#), Instrument made by Archbishops

*Constitution of the Board*

**F<sup>2</sup>21 Constitution of Board.**

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**Textual Amendments**

- F2** Ss. 1-46 repealed (1.3.2019) by [Church of England Pensions Measure 2018 \(No. 9\)](#), s. 61(2), [Sch. 5](#) (with [Sch. 4](#)); [S.I. 2019/98](#), art. 2 (with art. 3(1))

**F<sup>2</sup>22 Provisions as to officers and servants, and working expenses, of the Board.**

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**Textual Amendments**

- F2** Ss. 1-46 repealed (1.3.2019) by [Church of England Pensions Measure 2018 \(No. 9\)](#), s. 61(2), [Sch. 5](#) (with [Sch. 4](#)); [S.I. 2019/98](#), art. 2 (with art. 3(1))

**F<sup>5</sup>23** .....

**Textual Amendments**

- F5** S. 23 repealed (1.1.1998) by [1997 No. 1](#), s. 10(2), [Sch. 2 Pt. I](#); Instrument dated 28.11.1997 made by [Archbishops of Canterbury and York](#)

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*Changes to legislation: There are currently no known outstanding effects for the Clergy Pensions Measure 1961. (See end of Document for details)*

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### *Powers of the Board*

#### **F<sup>2</sup>24 General functions of the Board in relation to pensions.**

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##### **Textual Amendments**

- F2** Ss. 1-46 repealed (1.3.2019) by Church of England Pensions Measure 2018 (No. 9), s. 61(2), **Sch. 5** (with Sch. 4); S.I. 2019/98, art. 2 (with art. 3(1))

#### **F<sup>2</sup>25 Power of Commissioners to give directions as to exercise of functions of Board.**

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##### **Textual Amendments**

- F2** Ss. 1-46 repealed (1.3.2019) by Church of England Pensions Measure 2018 (No. 9), s. 61(2), **Sch. 5** (with Sch. 4); S.I. 2019/98, art. 2 (with art. 3(1))

#### **F<sup>2</sup>26 Powers of Board as to provision of residences.**

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##### **Textual Amendments**

- F2** Ss. 1-46 repealed (1.3.2019) by Church of England Pensions Measure 2018 (No. 9), s. 61(2), **Sch. 5** (with Sch. 4); S.I. 2019/98, art. 2 (with art. 3(1))

#### **F<sup>2</sup>27 Power of Board to administer pensions schemes for church workers.**

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##### **Textual Amendments**

- F2** Ss. 1-46 repealed (1.3.2019) by Church of England Pensions Measure 2018 (No. 9), s. 61(2), **Sch. 5** (with Sch. 4); S.I. 2019/98, art. 2 (with art. 3(1))

#### **F<sup>6</sup>28 Power of Board to establish Church Workers Pensions Augmentation Fund.**

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##### **Textual Amendments**

- F6** S. 28 repealed (1.5.2003) by Church of England (Pensions) Measure 2003 (No. 2), ss. 6, 7(2), **Schs.**; S.I. 2003/1, Instrument made by Archbishops

*Changes to legislation: There are currently no known outstanding effects for the Clergy Pensions Measure 1961. (See end of Document for details)*

**F<sup>2</sup>29 Board to be a housing association.**

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**Textual Amendments**

**F2** Ss. 1-46 repealed (1.3.2019) by Church of England Pensions Measure 2018 (No. 9), s. 61(2), **Sch. 5** (with **Sch. 4**); S.I. 2019/98, art. 2 (with art. 3(1))

**F<sup>2</sup>30 Power of Board to act as trustee.**

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**Textual Amendments**

**F2** Ss. 1-46 repealed (1.3.2019) by Church of England Pensions Measure 2018 (No. 9), s. 61(2), **Sch. 5** (with **Sch. 4**); S.I. 2019/98, art. 2 (with art. 3(1))

**F<sup>2</sup>31 Board to be a trust corporation.**

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**Textual Amendments**

**F2** Ss. 1-46 repealed (1.3.2019) by Church of England Pensions Measure 2018 (No. 9), s. 61(2), **Sch. 5** (with **Sch. 4**); S.I. 2019/98, art. 2 (with art. 3(1))

**F<sup>2</sup>32 Investment powers of Board.**

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**Textual Amendments**

**F2** Ss. 1-46 repealed (1.3.2019) by Church of England Pensions Measure 2018 (No. 9), s. 61(2), **Sch. 5** (with **Sch. 4**); S.I. 2019/98, art. 2 (with art. 3(1))

**F<sup>2</sup>32A Investment of moneys comprised in certain funds.**

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**Textual Amendments**

**F2** Ss. 1-46 repealed (1.3.2019) by Church of England Pensions Measure 2018 (No. 9), s. 61(2), **Sch. 5** (with **Sch. 4**); S.I. 2019/98, art. 2 (with art. 3(1))

**F<sup>7</sup>33 .....**

*Changes to legislation: There are currently no known outstanding effects for the Clergy Pensions Measure 1961. (See end of Document for details)*

**Textual Amendments**

**F7** S. 33 repealed (1.1.1998) by 1997 No. 1, s. 10(2), **Sch. 2 Pt. I**; Instrument dated 28.11.1997 made by Archbishops of Canterbury and York

*Audit of accounts of pensions funds, etc.*

**F234 Audit of accounts of pensions funds, etc .**

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**Textual Amendments**

**F2** Ss. 1-46 repealed (1.3.2019) by Church of England Pensions Measure 2018 (No. 9), s. 61(2), **Sch. 5** (with Sch. 4); S.I. 2019/98, art. 2 (with art. 3(1))

**PART IV**

MISCELLANEOUS AND GENERAL

**35—** ..... **F8**  
**37.**

**Textual Amendments**

**F8** Ss. 35–37 repealed by S.I. 1988/2256, reg. 36, **Sch. 2**

*Miscellaneous*

**F238 Determination of questions.**

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**Textual Amendments**

**F2** Ss. 1-46 repealed (1.3.2019) by Church of England Pensions Measure 2018 (No. 9), s. 61(2), **Sch. 5** (with Sch. 4); S.I. 2019/98, art. 2 (with art. 3(1))

**F238A Power of Board to establish additional pensions scheme for clerks.**

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*Changes to legislation: There are currently no known outstanding effects for the Clergy Pensions Measure 1961. (See end of Document for details)*

**Textual Amendments**

**F2** Ss. 1-46 repealed (1.3.2019) by [Church of England Pensions Measure 2018 \(No. 9\)](#), s. 61(2), **Sch. 5** (with [Sch. 4](#)); [S.I. 2019/98](#), art. 2 (with art. 3(1))

**F<sup>9</sup>39** .....

**Textual Amendments**

**F9** S. 39 repealed by [Church of England \(Pensions\) Measure 1988 \(No. 4, SIF 21:5\)](#), ss. 10(3), 18(2), **Sch. 3**

**F<sup>2</sup>40** **Diocesan widows and dependants committees.**  
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**Textual Amendments**

**F2** Ss. 1-46 repealed (1.3.2019) by [Church of England Pensions Measure 2018 \(No. 9\)](#), s. 61(2), **Sch. 5** (with [Sch. 4](#)); [S.I. 2019/98](#), art. 2 (with art. 3(1))

**F<sup>10</sup>40A** .....

**Textual Amendments**

**F10** S. 40A repealed (1.1.1998) by [1997 No. 1](#), s. 10(2), **Sch. 2 Pt. I**; [Instrument dated 28.11.1997 made by Archbishops of Canterbury and York](#)

**F<sup>11</sup>41**— .....  
**43.**

**Textual Amendments**

**F11** Ss. 41-43 repealed by [S.I. 1988/2256](#), reg. 36, **Sch. 2**

**F<sup>2</sup>44** **Alteration of rates of interest.**  
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**Textual Amendments**

**F2** Ss. 1-46 repealed (1.3.2019) by [Church of England Pensions Measure 2018 \(No. 9\)](#), s. 61(2), **Sch. 5** (with [Sch. 4](#)); [S.I. 2019/98](#), art. 2 (with art. 3(1))

*Changes to legislation: There are currently no known outstanding effects for the Clergy Pensions Measure 1961. (See end of Document for details)*

**F12 45** .....

**Textual Amendments**  
**F12** S. 45 repealed by [S.I. 1988/2256, reg. 36, Sch. 2](#)

**F2 46 Interpretation.**  
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**Textual Amendments**  
**F2** Ss. 1-46 repealed (1.3.2019) by [Church of England Pensions Measure 2018 \(No. 9\), s. 61\(2\), Sch. 5](#) (with [Sch. 4](#)); [S.I. 2019/98, art. 2](#) (with [art. 3\(1\)](#))

**47 Consequential amendments of Measures**

The Measures specified in the first column of the Second Schedule to this Measure shall have effect subject to the amendments specified in the second column of that Schedule, being amendments required in consequence of the passing of this Measure.

**Modifications etc. (not altering text)**  
**C5** The text of s. 47 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**F13 48 Repeals and consequential savings.**  
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**Textual Amendments**  
**F13** S. 48 repealed (1.3.2019) by [Church of England Pensions Measure 2018 \(No. 9\), s. 61\(2\), Sch. 5](#) (with [Sch. 4](#)); [S.I. 2019/98, art. 2](#)

**49 Extent.**

- This Measure shall extend to:—
- (a) the whole of the Province of Canterbury with the exception of the Channel Islands;
  - (b) the whole of the Province of York, including the Isle of Man; and
  - (c) the collegiate churches of Westminster and Windsor:

Provided that this Measure may be applied to the Channel Islands as defined in the <sup>M1</sup>Channel Islands (Church Legislation) Measures 1931 and <sup>M2</sup>1957 or either of them, in accordance with the provisions of those Measures.



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**Changes to legislation:** There are currently no known outstanding effects  
for the Clergy Pensions Measure 1961. (See end of Document for details)

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**Marginal Citations**

**M1** 1931 No. 4.

**M2** 1957 No. 1.

**50 Short title.**

This Measure may be cited as the Clergy Pensions Measure 1961.

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*Changes to legislation: There are currently no known outstanding effects for the Clergy Pensions Measure 1961. (See end of Document for details)*

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## SCHEDULES

### <sup>F14</sup>FIRST SCHEDULE

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#### Textual Amendments

- F14** Sch. 1 repealed by S.I. 1988/2256, reg. 36, Sch. 2 and expressed to be repealed (1.3.2019) by [Church of England Pensions Measure 2018 \(No. 9\)](#), s. 61(2), [Sch. 5](#) (with [Sch. 4](#)); S.I. 2019/98, art. 2

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### SECOND SCHEDULE

Section 47.

#### MEASURES AMENDED

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

- C6** The text of Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Measure Amended

The Church Dignitaries (Retirement) Measure, 1949. 14 & 15 Geo. 6 No. 2

#### Amendments

In section three, for paragraph (a) of subsection (1) there shall be substituted the following paragraph :—

- “(a) shall be entitled to receive a pension under the Clergy Pensions Measure, 1961, at the rate specified in Part I of the First Schedule to that Measure if he has attained the retiring age within the meaning of that Measure or, if he has not attained that age, a pension at the rate specified in Part II of that Schedule;” and subsection (2) of that section shall cease to have effect.

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*Changes to legislation: There are currently no known outstanding effects for the Clergy Pensions Measure 1961. (See end of Document for details)*

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**Textual Amendments**

**F15** Entry repealed by [Bishops \(Retirement\) Measure 1986 \(No. 1, SIF 21:3\)](#), s. 12(2), [Sch.](#)

**F16** THIRD SCHEDULE

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**Textual Amendments**

**F16** Sch. 3 repealed by Statute Law (Repeals) Act 1977 (c. 18). Sch. 1 Pt. V; and expressed to be repealed by S.I. 1988/2256, reg. 36, Sch. 2; and expressed to be repealed (1.3.2019) by [Church of England Pensions Measure 2018 \(No. 9\)](#), s. 61(2), [Sch. 5](#) (with [Sch. 4](#)); S.I. 2019/98, art. 2

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**Changes to legislation:**

There are currently no known outstanding effects for the Clergy Pensions Measure 1961.