

**GENERAL SYNOD
OF THE
CHURCH OF IRELAND**

2015

BILLS

AND

EXPLANATORY MEMORANDA

INTRODUCTION

This pamphlet contains those Bills which were lodged with the honorary secretaries at least six weeks before the first day of the session.

A Bill is a proposal for legislation which, if passed, will become a Statute, binding on all members of the Church of Ireland. The procedure is designed to ensure that the proposed legislation is considered carefully, both in principle and in detail, and that there is a day's interval for reflection before final approval is given.

The Bills will be taken into consideration in the order in which they appear in this pamphlet, unless the Synod directs otherwise. On the first stage, the proposer moves "That leave be given to introduce Bill no. ___" unless leave has been given in the previous session. This is a formal motion which is normally put to the Synod without debate, but in certain circumstances one speech in support of the motion, and one in opposition to it, may be permitted.

If that motion is passed, the Synod proceeds to the Second Reading, when the principles of the Bill are open to debate. At the conclusion of the debate on this stage, the motion "That the Bill be approved in principle and given a second reading" is put to the Synod. If this motion is passed, indicating that the Synod approved the Bill in principle, the Committee stage follows.

In the case of Special Bills leave to introduce such a Bill may be given only at an ordinary session of the Synod; leave having been given, the Bill shall be deemed to have been read a first time, but it shall not be processed further until the next ordinary session when it will come before the Synod for second reading.

On the Committee stage, the Bill is considered in detail, the clauses being put to the Synod one by one for debate and decision. The clauses are taken first in their order; then, the schedules (if any); and, finally, the Preamble (the introductory matter). Amendments, notice of which was given to the honorary secretaries not later than the Friday before the session, will appear on the agenda paper for the first day; no other amendment may be moved on Committee stage except with the leave of the Synod. An amendment is taken on the clause to which it relates, and is disposed of before the clause itself is put to the Synod.

In the case of Special Bills, an amendment can be moved on Committee stage only if notice has been given in the previous session except for any dealing with omissions or grammatical errors.

When the Committee stage has been concluded, the Bill is reported to the Synod, and a day – usually the third day – is fixed for the remaining stages.

On the third day the Report stage is taken. Any amendments which have been lodged with the honorary secretaries before the close of business on the second day will appear on the supplemental agenda paper for the third day. After these amendments have been disposed of – or immediately if there are not any amendments – the Synod proceeds to the Third Reading. At this stage, debate is confined to the provisions of the Bill, and at its conclusion the motion "That the Bill be now read a third time and passed" is put to the Synod.

A simple majority of the House of Representatives is required to pass any and every motion during the passage of a Bill through the Synod, except when

- (a) a vote by orders has been requisitioned by ten members of either order (which may be done on any motion), in which case a simple majority of each order, voting separately, is required.
- (b) a two-thirds majority of each order, voting separately, is required to pass the Second Reading and the Third Reading of a Bill which proposes a modification or alteration in the articles, doctrines, rites, rubrics or formularies of the Church.

For fuller information on Bill procedure reference should be made to Part II of Chapter I of the Constitution and to the Standing Orders. A leaflet on Bill procedure is available on application to the Honorary Secretaries.

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Bill No 1**Explanatory Memorandum**

The General Synod 2015 will be asked to consider a number of proposals relating to the project, initiated at the request of the archbishops and bishops, to develop policies and procedures supporting the maintenance of relationships based on Christian principles throughout the Church of Ireland.

This Bill seeks to have a Dignity in Church Life Charter formally adopted by the Church of Ireland. The Dignity Charter, which is set out in the Schedule to the Bill, seeks to articulate the Church's commitment to harmonious relationships in Church life with reference to the Christian principles underpinning those relationships.

It is intended that the Charter be adopted and published throughout the Church.

The Bill also seeks to empower the Representative Body to develop policies, regulations and rules to give effect to the Charter and to submit same to the Standing Committee for approval. The General Synod would have the authority to annul or amend any such policy, regulation or rule at its next session following.

Policies and procedures under the Charter are currently being developed in an initial three areas: dignity in Church life and the prevention of bullying and harassment; grievances of members of the clergy; and the management of long-term illness of members of the clergy.

Drafts of these policies and procedures have been circulated to all Synod members for information and, subject to the Bill being passed, are intended to be finalised following General Synod. In addition, Bills Nos 2 and 3 following relate to the area of long-term clergy illness and may be considered as complementary to the policy being developed in that area.

It is anticipated that this project will result in a variety of professional and financial resource requirements into the future and these will be considered as appropriate alongside the development of the relevant policies and procedures.

The intention is that the first of these policies and procedures would start to come into effect from January 2016, depending on resource requirements and other practicalities.

THE BISHOP OF DERRY AND RAPHOE
MR KEVIN BOWERS

(At the Request of the Standing Committee and the Representative Church Body)

BILL

To Adopt the Dignity in Church Life Charter

WHEREAS it is desirable to adopt a Charter that promotes harmonious relationships across all the structures of the Church of Ireland;

BE IT ENACTED by the Archbishops and Bishops and the Clergy and Laity of the Church of Ireland, in General Synod assembled in Armagh in the year 2015, and by the authority of the same, as follows:-

1. In this Statute, the “Dignity in Church Life Charter” means the Charter contained in the Schedule to this Bill and the “Standing Committee” means the Standing Committee of the General Synod.
2. The Church of Ireland hereby adopts the Dignity in Church Life Charter.
3. The Representative Church Body may develop policies, regulations and rules to give effect to the Charter and may, from time to time, propose amendments to the same. Such policies regulations and rules, together with any amendments to the same, shall be submitted to the Standing Committee for approval.
4. Any policies, regulations, rules or amendments to the same approved by Standing Committee shall be presented to the General Synod on the first day of its session next after the approval of such policy, regulation, rule or amendment, and it shall be lawful for the General Synod by resolution to annul or amend the same without prejudice to the validity of anything done in the meantime in pursuance thereof.

Schedule

Church of Ireland

Dignity in Church Life Charter

Church membership implies a commitment to relationship. The gospel invites people into relationship with God and relationship with all who are part of the life of the Church. The pattern of Christian discipleship points to how Christian people are expected to behave in their relationships with one another – church life should be underpinned by respect, valuing everyone’s human dignity before God and the pursuit of reconciliation when conflict arises.

In this context and in the knowledge that relationships in church life, as in all life, can be imperfect, the Church of Ireland is committed to:

- Building and supporting harmonious relationships in church life across all its structures
- Upholding the right of all equally to be treated with dignity and respect
- Seeking reconciliation where there is disagreement or conflict.

The Church of Ireland is committed to upholding this Charter. All individuals participating in the life of the Church have a duty under the Constitution of the Church of Ireland to uphold this Charter together with such policies, regulations and rules as may be adopted to uphold its principles. All who hold office in the Church have a specific responsibility to promote its provisions.

Bill No 2**Explanatory Memorandum**

Section 34 of Chapter IV of the Constitution of the Church of Ireland currently provides for circumstances where a member of the clergy is unable to fulfil the duties of his or her office due to “permanent mental infirmity”. Section 34 currently provides for a mechanism whereby the bishop notifies such infirmity to the Court of the General Synod. The Court is empowered to make a judgment on the permanent mental infirmity of the member of the clergy which said judgment has the same effect as if the member of the clergy had resigned from office. Prior to the bishop notifying the Court of the General Synod, the bishop must be satisfied that adequate provision can be made for the future maintenance of the member of the clergy.

This Bill seeks to modernise and extend the provisions of the existing section 34 by providing that any decision made in relation to the medical incapacity of a member of the clergy is based on medical evidence and by extending the current provisions to allow for permanent physical as well as mental incapacity. The role of the Court of the General Synod is retained as an appeal body as it is considered that, where there is disputed medical evidence, it will be a matter for legal consideration.

As set out above, section 34(1) seeks to extend the current provisions of Section 34 to include permanent physical incapacity as well as permanent mental incapacity. The duty to ensure that adequate provision can be made for the future maintenance of the member of the clergy who is incapacitated on medical grounds is retained. The decision making body will be a panel (the “Church Panel”) which shall consist of the Chief Officer and Secretary of the Representative Church Body, an Honorary Secretary of the General Synod and an Archbishop or Bishop. The Church Panel shall be advised by a group of medical experts (the “Medical Panel”).

Section 34(2) seeks to briefly outline the procedures to be adopted before the Church Panel and it is considered that detailed procedures will be the subject matter of Rules to be adopted in accordance with section 34(5). This sub-section also outlines the effect of a decision of the Church Panel and it should be noted that the effect of the decision is the same as currently exists under section 34.

Section 34(3) seeks to provide for circumstances whereby the member of the clergy in question considers that he or she is no longer permanently incapacitated on medical grounds from the due performance of the duties of office and the member of the clergy wishes to seek appointment to an office. This sub-section sets out the procedure which would enable the member of the clergy to proceed to take up an office where that person secures such appointment.

Section 34(4) seeks to provide for circumstances whereby the Church considers that the member of the clergy is no longer permanently incapacitated on medical grounds from the due performance of the duties of office. As set out above, prior to invoking the provisions of section 34, the bishop must be satisfied that adequate provision can be made for the future maintenance

of the member of the clergy. It is considered that this duty exists during such period of incapacity. In circumstances whereby a member of the clergy is no longer permanently incapacitated on medical grounds, perhaps due to the advancement of medical technology, the Church retains the option of reviewing the benefits being provided to the member of the clergy. Such benefits may be withdrawn if it is considered that the member of the clergy is capable of carrying out the duties of office.

Section 34(5) provides that rules for the carrying into effect of the revised Section 34 may be framed from time to time by the Standing Committee of the General Synod.

THE BISHOP OF DERRY AND RAPHOE
MR KEVIN BOWERS

(At the Request of the Standing Committee and the Representative Church Body)

BILL

To amend Chapter IV of the Constitution

WHEREAS it is desirable to extend the provisions of Chapter IV of the Constitution in relation to the permanent incapacity of members of the clergy on medical grounds;

BE IT ENACTED by the Archbishops and Bishops and the Clergy and Laity of the Church of Ireland in General Synod assembled in Armagh in the year 2015, and by the authority of the same, as follows:-

1. In this Statute “Chapter IV” means Chapter IV of the Constitution of the Church of Ireland.

2. For section 34 of Chapter IV there shall be substituted:

“34. (1) If in the case of a member of the clergy holding office in any diocese it shall appear to the bishop, upon such evidence as the bishop may deem sufficient, that such person may be permanently incapacitated on medical grounds from the due performance of the duties of office and also that adequate provision can be made for the future maintenance of such person, the bishop may certify the same to a panel (the “Church Panel”) duly appointed to consist of (i) the Chief Officer and Secretary of the Representative Church Body, (ii) an honorary secretary of the General Synod chosen by the said honorary secretaries from within their number and (iii) an archbishop or bishop chosen by the archbishops and bishops from within their number. Following appointment, the Church Panel shall convene a medical panel (the “Medical Panel”) to consist of not less than three medical experts and the member of the clergy shall attend before members of the Medical Panel on such occasions as the Medical Panel may require. The member of the clergy shall be entitled to provide medical evidence to the Church Panel which shall be duly considered.

(2) If, upon due enquiry and as evidenced by reports of at least two members of the Medical Panel, it is established to the reasonable satisfaction of the Church Panel that the member of the clergy is permanently incapacitated on medical grounds from the due performance of the duties of office, the Church Panel may make a decision (the “Decision to Vacate”). The Decision to Vacate shall have the same effect as if such person had notified an intention to resign and the same proceedings may be taken for the purpose of vacating the office of the said person and for the purpose of providing, in cases where arrangements can be made, for a retiring annuity. The member of the clergy, the subject matter of the Decision to Vacate, may appeal the said decision to

the Court of the General Synod. In circumstances where the Church Panel does not proceed to make a Decision to Vacate and if it is claimed that the capacity of the member of the clergy has subsequently changed, nothing in this section shall preclude a further application being made to the Church Panel.

- (3) If it is claimed that the capacity of a member of the clergy the subject of a Decision to Vacate has subsequently changed and that person desires to be eligible to seek appointment to office in any diocese, that person may notify the bishop of the diocese in which the person is then resident. The bishop shall request that the Church Panel be convened and upon due enquiry and as evidenced by reports of at least two members of a Medical Panel convened by the Church Panel, it is established to the reasonable satisfaction of the Church Panel that the said person is no longer permanently incapacitated on medical grounds from the due performance of the duties of office, the Church Panel may make a determination that (a) the person is entitled to seek appointment to office and (b) where the person secures an appointment to office which he/she wishes to take up, the Church Panel shall, in return for the person renouncing his/her entitlement to further payments and other benefits under the Decision to Vacate, set aside the Decision to Vacate to enable such appointment to proceed. The member of the clergy shall be entitled to provide medical evidence to the Church Panel which shall be duly considered.
- (4) If it is claimed that the capacity of a member of the clergy subject to a Decision to Vacate has subsequently changed and it shall appear to the reasonable satisfaction of the Church Panel, upon due enquiry and as evidenced by reports of at least two members of a Medical Panel, that the said person is no longer permanently incapacitated on medical grounds from the due performance of the duties of office, any payments or other benefits, other than a retiring annuity, paid to the said person under the Decision to Vacate shall be reviewed and may be withdrawn. The member of the clergy shall be entitled to provide medical evidence to the Church Panel which shall be duly considered.
- (5) Rules for carrying this section into effect may be framed from time to time by the Standing Committee of the General Synod.”

Bill No 3**Explanatory Memorandum**

The Severance Fund was established under Statute Chapter XVI of 2003, to enable financial settlements to be made to clergy agreeing to withdraw permanently from stipendiary ministry following a process of mediation through the Provincial Mediation Panels established under Statute Chapter VI of 2001. Funding was by means of a diocesan levy.

The Fund was not accessed for the first several years of its existence and consequently, from 2008 to the present, no levy has been collected, with a balance in excess of €500,000 currently remaining in the Fund.

In light of the lack of use of the Fund through the Provincial Mediation Panels system, the Representative Body in 2008 amended the Fund Regulations to introduce an alternative route whereby the Fund could be accessed in response to an individual recommendation from an archbishop or bishop relating to permanent cessation from the stipendiary ministry. In 2012 the Statute Chapter VI of 2001 was substantially repealed and the Provincial Mediation Panels disbanded. Consequently at present the only route to accessing the Fund is by a recommendation from an archbishop or bishop under the provisions of the Fund Regulations as amended.

The Bill seeks to broaden the scope of circumstances in which the Severance Fund may be accessed, to include provision for cases of permanent incapacity on medical grounds by amending the Statute Chapter XVI of 2003 to rename the Fund the 'Clergy and Ministry Protection Fund'. The provisions of this Bill may be considered as complementary to the provisions of Bill No 2 and to the policy and procedure being developed in the area of long-term clergy illness under the provisions of Bill No 1.

THE BISHOP OF DERRY AND RAPHOE
MR KEVIN BOWERS

(At the Request of the Standing Committee and the Representative Church Body)

BILL

To amend Chapter XVI of 2003

WHEREAS in Chapter XVI of 2003, the General Synod made provision for the establishment of a Severance Fund for clergy;

AND WHEREAS it is desirable to extend the circumstances in which the said Fund can be accessed to include provision for clergy forced from ministry by illness;

AND WHEREAS for these purposes it is desirable to rename the said Fund “The Clergy and Ministry Protection Fund”;

AND WHEREAS for these purposes it is necessary to amend Chapter XVI of 2003.

BE IT ENACTED by the Archbishops and Bishops and Clergy and Laity of the Church of Ireland, in General Synod assembled in Armagh in the year 2015, and by the authority of the same as follows:

1. In this Statute, ‘Chapter XVI’ means the Statute of the General Synod, Chapter XVI of 2003 as amended.
2. In Chapter XVI, the term “The Clergy and Ministry Protection Fund” shall be substituted for “The Severance Fund” wherever it occurs.
3. In Chapter XVI after section 5, the following sections shall be inserted:

5A Regulations may be made by the Representative Church Body concerning the use of the Clergy and Ministry Protection Fund.

5B Any regulations made by the Representative Church Body under section 5A of this statute, and any amendments thereto, shall be laid on the table of the General Synod on the first day of its session next after the making of such regulations or amendments.

4. Nothing in this Statute shall invalidate or affect any action taken or thing heretofore done or any right or liability heretofore acquired or incurred under Chapter XVI prior to this amendment.

Bill No 4**Explanatory Memorandum**

In 2008, the Northern Ireland Assembly enacted the Charities Act (Northern Ireland) 2008. In 2009, the Oireachtas enacted the Charity Act 2009. Both statutes require institutions seeking charitable status to have a Statement of Charitable Purposes and Objects. Both jurisdictions also require that charities should show public benefit. However, the legislation in the Republic of Ireland creates a rebuttable presumption that ‘the advancement of religion’ is of public benefit. There is no corresponding rebuttable presumption in the Northern Ireland legislation and accordingly, bodies created to promote the advancement of religion seeking charitable status in Northern Ireland should also have a Statement of Public Benefit.

The Northern Ireland Executive and the Government of Ireland have both begun to implement the legislation in their respective jurisdictions.

The relevant authorities in both jurisdictions require that the Statement of Charitable Purposes and Objects and the Statement of Public Benefit be adopted by the governance structure of the Church.

Many bodies governed by the laws of the Church of Ireland have sought or will seek registration as Charities in the jurisdiction in which they are based.

As a Church that operates in two jurisdictions, it would be desirable that bodies under Church of Ireland governance seeking charitable registration should have the same or similar Statements of Charitable Purposes and Objects and (in Northern Ireland) the same Statements of Public Benefit.

Bill No 4 would adopt Statements of Charitable Purposes and Objects for use in both jurisdictions. The wording is almost identical for both jurisdictions but there is a slight difference in emphasis due to the fact that the relevant authorities in Northern Ireland and the Republic of Ireland apply terminology in a slightly different way. The Bill would also adopt a Statement of Public Benefit for use in Northern Ireland to satisfy the legislative requirement there.

The Bill would also repeal a resolution adopted by the General Synod in 2010 which provided a Statement of Charitable Purpose and a Statement of Public Benefit for use by Church of Ireland Select Vestries or equivalent bodies registering as charities in Northern Ireland.

If the Bill is adopted all bodies governed by the laws of the Church of Ireland would use the Statements of Charitable Purposes and Objects and the Statement of Public Benefit when registering under the legislation. This would facilitate compliance with the legislation and consistency across the Church.

MR SYDNEY GAMBLE
MRS ETHNE HARKNESS

(At the Request of the Standing Committee and the Representative Church Body)

BILL

To Adopt Statements of Charitable Purposes and Objects and a Statement of Public Benefit for use by Bodies Governed by the Laws of the Church of Ireland

WHEREAS the Northern Ireland Executive has begun to implement the Charities Act (Northern Ireland) 2008 in Northern Ireland and the Government of Ireland has begun to implement the Charity Act 2009 in the Republic of Ireland;

AND WHEREAS under both the Charities Act (Northern Ireland) 2008 and the Charity Act 2009 there is a requirement for bodies seeking registration as charities to provide a Statement of Charitable Purposes and Objects;

AND WHEREAS under the Charities Act (Northern Ireland) 2008 there is a requirement for bodies seeking registration as charities to benefit or intend to benefit the public, or to benefit or intend to benefit a section of the public;

AND WHEREAS in so far as it is compatible with the legal requirements in each jurisdiction, it is desirable that bodies governed by the laws of the Church of Ireland registering as charities should have the same or similar statements of charitable purposes and objects;

BE IT ENACTED by the Archbishops and Bishops and Clergy and Laity of the Church of Ireland in General Synod assembled in Armagh in 2015, and by the authority of the same as follows:-

1. In this statute the “Statement of Charitable Purpose and Objects (NI)” means the Statement of Charitable Purposes and Objects contained in the First Schedule to this Statute; the “Statement of Charitable Purpose and Objects (ROI)” means the Statement of Charitable Purposes and Objects contained in the Second Schedule to this Statute; the “Statement of Public Benefit” means the Statement of Public Benefit contained in the Third Schedule to this Statute and the “relevant authorities” means the Charity Commission for Northern Ireland (in Northern Ireland) or the Charities Regulatory Authority (in the Republic of Ireland).
2. The Church of Ireland hereby adopts the Statement of Charitable Purpose and Objects (NI) and the Statement of Charitable Purpose and Objects (ROI).
3. The Church of Ireland hereby adopts the Statement of Public Benefit.

4. The resolution adopted in 2010 by the General Synod approving guidance documents for use by Church of Ireland bodies registering as charities under new charities legislation is hereby repealed.
5. Henceforth, bodies governed by the laws of the Church of Ireland registering as charities under the Charities Act (Northern Ireland) 2008 in Northern Ireland shall use the Statement of Charitable Purpose and Objects (NI) and the Statement of Public Benefit when submitting registering documents to the relevant authorities.
6. Henceforth, bodies governed by the laws of the Church of Ireland registering as charities under the Charity Act 2009 in the Republic of Ireland shall use the Charitable Purpose and Objects (ROI) when submitting registering documents to the relevant authorities.

First Schedule**Statement of Charitable Purposes and Objects (NI)**

The charitable purpose of the Church of Ireland is the advancement of religion. The principal function of the [*insert name of relevant body*] is to support the advancement of the Christian religion by promoting, through the work of the [*insert name of relevant body*] the whole mission of the Church, pastoral, evangelistic, social and ecumenical. Being open to and engaging with society as a whole and offering support for those needing help are fundamental to the practical delivery of the benefits of Christianity.

As a result of activity in the pursuit of the advancement of the Christian religion, the [*insert name of relevant body*] has custody of property and of records, materials and artefacts of significance to the cultural and religious heritage and maintenance of which is undertaken by the [*insert name of relevant body*].

Second Schedule

Statement of Charitable Purposes and Objects (ROI)

The Charitable purpose:

The Charitable purpose of the [*insert name of relevant body*] of the Church of Ireland is the advancement of religion.

The Charitable objects:

The principal function of the [*insert name of relevant body*] of the Church of Ireland is to support the advancement of the Christian religion by promoting, through the work of the [*insert name of relevant body*], the whole mission of the Church, pastoral, evangelistic, social and ecumenical. Being open to and engaging with society as a whole and offering support for those needing help are fundamental to the practical delivery of the benefits of Christianity. As a result of activity in the pursuit of the advancement of the Christian religion, the [*insert name of relevant body*] has custody of property and of records, materials and artefacts of significance to the cultural and religious heritage and maintenance of which is undertaken by the [*insert name of relevant body*].

Third Schedule

Statement of Public Benefit (NI)

Purpose 1

The expression of the precepts of the Christian religion through engagement with the general public, and in particular with the disadvantaged, the sick, the elderly and the young is a public benefit. This can be measured and evidenced through increased social integration and pastoral care delivered at the point of need. The direct benefit of participation in Church life includes the enjoyment of public worship and the giving and receiving of pastoral ministry, improved understanding of the values relating to civic engagement, community cohesion and providing a bridge between diverse groups as well as improved educational outcomes through the Church's ministry of teaching.

The beneficiaries are the general public, and the public valuation of the benefits can be evidenced through attendance at public worship, participation in Church governance and willingness to support through contributions the continuing witness of the Church. The wider benefit to the public will outweigh any detriment arising in the course of Christian outreach. Any private benefit arising out of the fulfilment of our Christian ministry or to lay staff is essential to the fulfilment of the purpose of the advancement of religion. No Trustee receives remuneration, reward or other private benefit for carrying out their Trustee responsibility.

Purpose 2

The direct benefits flowing from this purpose include the provision of archive records, public enjoyment of cultural and historic buildings and artefacts such as church plate, furnishings and materials as well as an overall improved appreciation of longstanding Christian heritage.

This is demonstrated through on-going provision of access to records and the use made of these records in, for example, research and genealogy, through conservation efforts in respect of records, property and artefacts and the subsequent and continued requests for access and use of our materials by wider society. There is no harm arising from the purpose. The beneficiaries are the general public. No private benefit is received by Trustees fulfilling their Trustee responsibilities in respect of these records, buildings or artefacts, but in the course of conservation and to make these accessible to the public, the engagement of professional staff and services is essential but incidental to the fulfilment of the purpose.

Bill No 5**Explanatory Memorandum**

This Bill seeks to make provision consequential upon the establishment of a second archdeaconry in the Diocese of Armagh in accordance with a resolution passed at the Armagh Diocesan Synod on 21st October 2014 and with the consent of the Standing Committee of the General Synod given at a meeting of the said Standing Committee on 18th November 2014.

Clause 1 seeks to amend the relevant provisions of the Statute, Chapter VI of 2011, which relates to the regulation and management of the Cathedral Church of St. Patrick, Armagh by including, in the list of dignitaries constituting the Cathedral Body, a second archdeacon, namely the Archdeacon of Ardboe.

Clause 2 seeks to provide for the election, by the lay members of the Armagh Diocesan Council, of an additional member of the Cathedral Board in order to maintain the parity of lay and ordained members of the said Board. While the additional lay member could be elected either by the Cathedral Vestry or by the Diocesan Council it is considered more appropriate that it should be by the Diocesan Council since the second archdeacon is primarily a diocesan rather than a cathedral appointment and the diocese is the larger constituency from which the additional member of the Board may be drawn.

VERY REV GREGORY DUNSTAN
CANON LADY SHEIL

BILL

To amend the Statute, Chapter VI of 2011

WHEREAS it is desirable to amend the provisions relating to the regulation and management of the Cathedral Church of St. Patrick Armagh;

AND WHEREAS the Diocesan Synod of Armagh on 21st October 2014 resolved to establish a second Archdeaconry in the Diocese of Armagh pursuant to Section 38 (a) of Chapter II of the Constitution and the Standing Committee of the General Synod having consented thereto;

BE IT ENACTED by the Archbishops and Bishops and Clergy and Laity of the Church of Ireland in General Synod assembled in Armagh in the year 2015 and by the authority of the same as follows:-

1. For the opening sentence of paragraph 4 of Schedule I to the Statute Chapter VI of 2011, hereinafter referred to as the said Schedule, there shall be substituted:-

"The officers who shall constitute the Cathedral Body shall be the dignitaries; namely the Dean, Precentor, Chancellor, Treasurer, the Archdeacon of Armagh and the Archdeacon of Ardboe, in that order, and the Prebendaries, namely, the Prebendary of Mullabrack, the Prebendary of Ballymore, the Prebendary of Loughall and the Prebendary of Tynan, in no particular order."

2. In paragraph 11(ii) of the said Schedule for the word "four" there shall be substituted the word "five".

Bill No 6

Explanatory Memorandum

This short bill is intended to amend Chapter I of 1902, which is the main statute for regulating the Chapter and Governance of Christ Church Cathedral, Dublin.

At present, Section 4 of Chapter I of 1902 opens with the sentence ‘The Dean and Chapter, with the consent of the Ordinary, and subject to the provisions hereinafter contained, shall have the regulation of all matters relative to the Cathedral, and the administration thereof, and power to make by-laws in reference thereto.’ The remainder of Section 4 concerns the composition of the Cathedral Chapter.

The opening sentence of Section 4 of Chapter I of 1902 is inappropriate in the light of current charitable legislation.

The bill will remove this sentence. Apart from slight typographical changes, the remainder of Section 4 of Chapter I of 1902 is unchanged.

VERY REV DERMOT DUNNE
MR DESMOND CAMPBELL

BILL

To amend Chapter I of 1902

WHEREAS it is expedient to make better provision for the regulation and management of the Cathedral of the Holy Trinity, commonly called Christ Church, Dublin;

AND WHEREAS for this purpose it is necessary Chapter I of 1902;

BE IT ENACTED by the Archbishops and Bishops and the Clergy and Laity of the Church of Ireland in General Synod assembled in Armagh in the year 2015, and by the authority of the same, as follows:-

1. In this Statute "Chapter I of 1902" means the Statute of the General Synod, Chapter I of 1902.
2. For section 4 of Chapter I of 1902 there shall be substituted:

The Chapter shall consist, with the Dean, of the Precentor, Chancellor, Treasurer, Archdeacon of Dublin, Archdeacon of Glendalough, and twelve Canons, eight of whom shall be appointed from the beneficed or licensed Clergy of the Diocese of Dublin, and four from the beneficed or licensed Clergy of the Diocese of Glendalough. Of such twelve Canons the first three in seniority of appointment shall bear respectively the name and style of Prebendary of St Michael, Prebendary of St Michan and Prebendary of St John.

Bill No 7**Explanatory Memorandum**

Following the closure of the Church of Ireland Clergy Pensions Fund to new membership and to the accrual of future service of existing members, with effect from 1st June 2013, the Clergy Defined Contribution Pension Scheme was established and divided into two Sections, one for Northern Ireland and one for the Republic of Ireland, each regulated by Rules made by the Representative Church Body (RCB) subject to the approval of General Synod. Since 1st June 2013 the two Sections have operated as two distinct Schemes regulated by separate rules made by the RCB. This Bill seeks to formalise that practice by statutorily providing for two distinct Schemes, each having separate Trustees appointed by the RCB and each Scheme being regulated by separate Rules made by the RCB in conjunction with the relevant Trustees and subject to the approval of the General Synod.

Part 1

Part I of this Bill sets out, in Clause 1, the requisite definitions for Chapter XIV and for any regulations made thereunder.

Part II

In Part II the detailed provisions governing the two Schemes are set out. Clauses 2, 3, and 4 relate to the establishment of the two Schemes and their governance and regulation.

Clause 5 seeks to provide that upon reaching Normal Retirement Age members will receive retirement benefits from the relevant Scheme and where applicable benefits accrued to 31st May 2013 under Part III of Chapter XIV from the Clergy Pensions Fund.

Clauses 6 and 7 define the Pension Scheme into which Clergy entering or re-entering Service in the Church of Ireland will be enrolled or from which they may opt out if they so wish.

Clause 8 details the method of calculation of contributions to be paid, while Clause 9 relates to the investment of members' contributions.

Clause 10 seeks to provide that benefits will be paid in accordance with the relevant Contribution Scheme Rules of each Scheme and sets out the various alternatives where death occurs in service before or after reaching Normal Retirement Age or in retirement.

Part III

Clause 11 restates the provisions of the existing Chapter XIV concerning the establishment of the Clergy Pensions Fund and states that the Fund was closed to new entrants and to future accrual of service on 31st May 2013.

Clause 12 restates the provisions of Section 1A of Chapter XIV, as inserted in the said Chapter by the Clergy Pensions (Defined Contribution) Statute of 2013, concerning the pensions of members of the Clergy who re-enter Service in the Church of Ireland after 31st May 2013 and Clauses 13, 14, 15 and 16 restate the provisions of Section 3,4,5,6, of the existing Chapter XIV.

Similarly Clauses 17 to 24 restate the provisions of Sections 7 to 14 of the existing Chapter XIV.

Clauses 25 to 28 seek to make new provision in relation to the composition of the Church of Ireland Pensions Board reducing from 12 to 7 the number of members but only reducing the number of members required to form a quorum from 5 to 4.

Clause 27 permits attendance by teleconference to count for the purposes of forming a quorum.

Clauses 29 to 33 relating to inalienability, retirement and surrender by Applicants for a pension of a Glebe House or other residence and membership are unchanged and restate the provisions of Sections 22, 23, 24, 25 and 31 of the existing Chapter XIV.

Clause 34 seeks to restrict membership of the Fund to those who were members of the Fund as at 31st May 2013 and Clause 35 is the same as the existing Section 29 of Chapter XIV.

Clauses 36 and 38 which provide for the payment of a levy by each Diocese and by any Council, Society, Institution or Organisation responsible for the payment of a contribution to the Fund were introduced by the Clergy Pensions (Defined Contribution) Statute 2013 and now clarifies the manner in which the levy is applied to curate assistants.

Clauses 37, 39, 40, 41, 42 and 43 are restating existing provisions of Chapter XIV.

With regard to Early Retirement Pension, Clause 44 makes a significant change from the provisions of existing Section 44 in seeking to provide that the Trustee may decide that payment of the pension may be deferred until the member reaches Normal Retirement Age in accordance with Section 59G of the Pensions Act 1990 in the Republic of Ireland.

Clauses 45, 46 and 47 are restating the provisions of existing Sections 45, 46 and 47. Additional personal contributions can no longer be made and it is therefore necessary to omit the provisions of the old Section 48 of Chapter XIV.

The provisions of Clauses 48 and 49 are restating the provisions of existing Sections 49 and 50 and Clauses 50 to 62 similarly restate the provisions of Section 50 to 63.

Clause 63 is for clarification and states what has been the practice.

In Clause 64(3) there is a reduction from 8% to 6% per annum compound interest of a surviving spouse's deferred pension to bring it into line with late retirement pension provisions.

The provisions of Clauses 65, 66 and 67 relating to Episcopal Retirement Benefits are the same as those of Sections 67, 68 and 69 of the existing Chapter XIV.

Clause 68 differs from Section 72 of the existing Chapter XIV in that an additional change in the calculation of Bishop's pensions is required to reflect the closure of the Clergy Pensions Fund to future accruals on 31st May 2013.

Clauses 70 to 85 mirror existing provisions of Chapter XIV with one exception. As is the case with members of the Clergy, it will no longer be possible for an Archbishop or Bishop to make additional personal contributions to purchase additional service for pension purposes.

The provisions of Clause 86, relating to commutation of pensions, are very similar to those of Section 96 of the existing Chapter XIV except that in Clause 86(3) the requirement to give one month's notice of the decision to commute has been omitted.

The remaining provisions of the Bill are identical to those of Sections 87, 88 and 89 of the existing Chapter XIV.

Schedules 1 and 2 to the said Chapter have been omitted because they are no longer applicable.

CANON LADY SHEIL
MR GEOFFREY PERRIN

(on behalf of Representative Church Body)

BILL

To amend, consolidate and replace Chapter XIV of the Constitution

WHEREAS it is necessary to replace Chapter XIV of the Constitution with an amended and consolidated Chapter XIV as set out in the Schedule to this Statute;

BE IT ENACTED by the Archbishop and Bishops and the Clergy and Laity of the Church of Ireland, in General Synod assembled in Armagh in the year 2015 and by the authority of the same as follows:

1. In this Statute 'Chapter XIV' means Chapter XIV of the Constitution of the Church of Ireland.
2. For Chapter XIV there shall be substituted a new Chapter XIV as set out in the Schedule to this Statute.

SCHEDULE

CHAPTER XIV

Part I

PENSION SCHEMES FOR CLERGY

Preliminary

Pensions for Church of Ireland Clergy are governed by two Schemes, a Defined Benefit Scheme which was closed to new entrants on 31st May 2013 and a Defined Contribution Scheme which applies to all clergy entering or re-entering service in the Church of Ireland on and from 1st June 2013, and also to clergy in the Service of the Church of Ireland on 31st May 2013 in respect of their continuing pension arrangements.

The Defined Contribution Pension Scheme, established following the closure of the Church of Ireland Clergy Pensions Fund for future accrual of service in respect of all members and heretofore divided into two sections is, under the provisions of Part II of this Chapter, to be divided into two Schemes, one for Northern Ireland and one for the Republic of Ireland, details of which are set out in Part II. The Church of Ireland Clergy Pensions Fund, while closed to new entrants and future accrual of service on 31st May 2013, shall continue to be so designated and shall be regulated and administered in accordance with the provisions of Part III of this Chapter. For the purposes of clarification, definitions relating to both Parts II and III of this Chapter are set out in Part I.

1. Definitions

For the purpose of this Chapter and of any regulations made thereunder, except so far as is otherwise provided or the context otherwise requires, those definitions preceded by * are relevant only to Part III of this Chapter.

- * **“accrued pension accumulation”** in respect of a Member of the Clergy who ceases to be a contributing member shall be the benefits calculated in accordance with Section 39.
- * **“accrued service”** shall mean the number of years’ service which a member has completed and in the event of the final year of service to 31st May 2013 being incomplete shall include such part of that year as was completed in terms of days. It shall include any additional service purchased by way of additional personal contributions to 31st May 2013 and service transfers made to that date.
- “benefits”** shall include
 - (a) retirement pension or retirement annuity payable to a Member of the Clergy;
 - (b) pension or annuity payable to a surviving spouse;
 - (c) child dependency allowances;
 - (d) a lump sum payable either to a member or to such member’s legal personal representatives.
- * the **“Board”** means the Church of Ireland Pensions Board established and constituted in accordance with Section 25 of this Chapter.
- * **“contributing member”** shall mean a member of the Fund who had not reached Normal Retirement Age on or before 31st May 2013.
- “episcopal service”** shall mean service as a member of the House of Bishops of the Church of Ireland.
- “Episcopal Stipend”** shall mean the relevant multiple of the Minimum Approved Stipend as determined by the Representative Body from time to time in relation to each member of the House of Bishops of the Church of Ireland.
- * **“Fund”** shall mean the Church of Ireland Clergy Pensions Fund.
- “Member of the Clergy”** shall include an archbishop and bishop, but shall not include a person serving in an auxiliary ministry, a deacon serving in an internship or an auxiliary priest licensed as such under the rules drawn up by the House of Bishops and approved by the General Synod.
- “Minimum Approved Stipend”** shall mean the minimum stipend determined by the General Synod in accordance with the provisions of section 51(1) of Chapter IV.

“**Normal Retirement Age**” from 1st June 2013, in respect of those members of the Fund who were contributing members on 31st May 2013 and also members of the Clergy Defined Contribution Pension Schemes, shall be in accordance with the following table:

Date of birth	Normal Retirement Age
On or before 31 st May 1949	65
1 st June 1949 to 31 st May 1954	66
1 st June 1954 to 31 st May 1959	67
1 st June 1959 and after	68

Subject to the proviso that those members who became members of the Fund on or after 1st January 2009 or ceased to be contributing members and re-entered membership of the Fund on or after 1st January 2009 shall have a Normal Retirement Age of not less than 67.

- * “**orphan**” or “**child**” as the case may be shall include a stepchild and a child legally adopted by a member of the Fund.
- * “**Pensionable Episcopal Stipend**” shall be the same multiples of the Pensionable Stipend as those applied to the Minimum Approved Stipend when determining the Episcopal Stipend.
- * “**Pensionable Stipend**” shall mean the figure approved annually by the Standing Committee on behalf of the General Synod on the recommendation of the Trustee and the Representative Body having regard to the financial status of the Fund and having received actuarial advice and shall not be a figure lower than that for the previous year.

“**Pensions Act**” shall mean the Pensions Act 1990 (as amended from time to time).

“**Pensions Authority**” shall mean the regulatory body for occupational pension schemes in the Republic of Ireland.

“**Pensions Regulator**” shall mean the regulatory body for occupational pension schemes in Northern Ireland.

“**Service in the Church of Ireland**” for the purposes of this Chapter shall mean service as a Member of the Clergy who

- (a) holds the office of bishop, incumbent, vicar, bishop’s curate or curate assistant in the Church of Ireland; or
- (b) is the Dean, the Dean’s Vicar, or the Succentor of the Cathedral Church of St Patrick, Dublin; or
- (c) is duly licensed and a paid officer of the Church of Ireland or of any Council of Churches of which the Church of Ireland is a member, or of any Society or Institution or Diocesan Organisation working in connection with the Church of Ireland, as recommended by the House of Bishops and recognised as such by the Representative Body for the purposes of this Chapter.

The Representative Body, in its discretion, may recognise service in a full time appointment in connection with Religious Education as equivalent for the purposes of this Chapter to service in the Church of Ireland but on such terms and conditions as the Trustee may from time to time prescribe.

“**Revenue Authorities**” means, in relation to the Republic of Ireland, the Revenue Commissioners and, in relation to Northern Ireland, HM Revenue & Customs.

“**Taxes Act**” shall mean the Taxes Consolidation Act 1997 (as amended from time to time).

- * “**the Trustee**” shall mean The Church of Ireland Clergy Pensions Trustee Limited.
- * “**total prospective service**” shall mean the accrued service which a member would have achieved on reaching Normal Retirement Age having remained a member until that date.

- * “**voluntary member**” shall mean a Member of the Clergy who was permitted to continue to be a contributor in accordance with section 22 of Chapter XIV of the Constitution 1972.
- * “**year of service**” shall mean a year or part thereof in respect of which a contribution has been paid to the Fund or, in accordance with any reciprocal agreement with another Church, is deemed to have been paid.

Part II

THE CHURCH OF IRELAND CLERGY DEFINED CONTRIBUTION PENSION SCHEMES

2. The Church of Ireland Clergy Defined Contribution Pension Scheme established with effect from 1st June 2013, regulated by Rules made by the Representative Church Body subject to the approval of the General Synod and heretofore divided into two sections known as the Northern Ireland Section and the Republic of Ireland Section, shall hereafter be divided into two Schemes to be known as the Church of Ireland Clergy Defined Contribution Pension Scheme for Northern Ireland and the Church of Ireland Clergy Defined Contribution Pension Scheme for the Republic of Ireland.
3. Each Scheme shall have separate Trustees appointed by the Representative Church Body.
4. (a) In accordance with statutory pension regulations, the two Schemes shall be regulated by separate rules made by the Representative Church Body in conjunction with the relevant Trustees and subject to the approval of the General Synod, hereinafter referred to as the Church of Ireland Clergy Defined Contribution Pension Scheme - Northern Ireland Section Scheme Rules and the Church of Ireland Clergy Defined Contribution Pension Scheme - Republic of Ireland Section Scheme Rules.

(b) Any amendment which may be made to the Rules for either Scheme may be approved by the Standing Committee of the General Synod provided that they are reported to the next following General Synod.
5. Upon reaching Normal Retirement Age members will receive retirement benefits from the relevant Clergy Pension Defined Contribution Scheme and, where applicable, benefits accrued to 31st May 2013 under the provisions of Part III of this Chapter from the Clergy Pensions Fund.

MEMBERSHIP

6. A Member of the Clergy who enters Service in the Church of Ireland will be enrolled in the relevant Church of Ireland Clergy Defined Contribution Pension Scheme unless that Member of the Clergy formally elects to opt out of membership of the Scheme.
7. A Member of the Clergy who re-enters Service in the Church of Ireland will be enrolled in the relevant Church of Ireland Clergy Defined Contribution Pension Scheme unless that Member of the Clergy formally elects to opt out of membership of the Scheme.

OPERATION OF THE SCHEMES

8. Contributions required to be paid until a member attains his or her Normal Retirement Age shall be as follows:
 - (a) Member's pension fund comprising:
 - (i) a member contribution of 9% per annum of the relevant Minimum Approved Stipend or Episcopal Stipend by a monthly deduction from the stipend of each member concerned.
 - (ii) a Parish / Diocesan Council / Other contribution of 8% per annum of the relevant Minimum Approved Stipend or Episcopal Stipend by assessment on that Parish / Diocesan Council / Other concerned for paying that member's stipend.
 - (b) Death in Service insured benefit:
 - (i) a Parish / Diocesan Council / Other contribution at a contribution rate determined by the Representative Body to meet the cost of the benefit by way of assessment on that Parish / Diocesan Council / Other concerned for paying that member's stipend.

INVESTMENT CHOICE

9. Upon enrolment in the relevant Scheme, a member's monthly contributions will initially be invested in the default investment option, as offered from the appointed pension provider, unless otherwise instructed by the member.

BENEFITS

10. (a) On retirement, benefits will be paid in accordance with the Clergy Defined Contribution Scheme Rules of each Pension Scheme.
- (b) On death in service before reaching Normal Retirement Age, benefits will be paid in accordance with the Life Assurance policy in place for the relevant jurisdiction.
- (c) On death in service on, or after, reaching Normal Retirement Age, benefits will be paid in accordance with the Clergy Defined Contribution Scheme Rules of each Pension Scheme.
- (d) On death in retirement, benefits will be paid in accordance with selected options made by the member at retirement.

Part III**THE CHURCH OF IRELAND CLERGY PENSIONS FUND**

11. The Fund established by Statute of the Church of Ireland, Chapter V of 1976, on 1st January 1976, as The Church of Ireland Clergy Pensions Fund for the financial assistance of clergy who are members of the Fund and who retire or who become unable to continue the exercise of their ministry by reason of infirmity, accident or disease and for the financial assistance of the surviving spouses and orphans of the members of the Fund, shall continue to be designated as "The Church of Ireland Clergy Pensions Fund" and shall be regulated and administered in accordance with the provisions of this Part of this Chapter. The Fund was closed to new entrants and future accrual of service on 31st May 2013.
12. (a) A Member of the Clergy who re-enters Service in the Church of Ireland on or after 1st June 2013 shall have his or her benefits calculated in accordance with Section 39 and will become a member of the relevant Church of Ireland Clergy Defined Contribution Pension Scheme subject to the provisions of this Chapter.
- (b) A contributing member of the Fund on 31st May 2013, who was neither an archbishop nor a bishop or who did not become an archbishop or bishop until after 31st May 2013 shall, upon reaching his or her Normal Retirement Age, receive such benefit from the Fund based on the Pensionable Stipend in relation to his or her office as at 31st May 2013 and accrued service to that date. The pension shall be calculated in accordance with either Section 42 or Section 43 as the case may be.
- (c) A contributing member of the Fund, who was either an archbishop or bishop on 31st May 2013 shall, upon reaching his or her Normal Retirement Age, receive such benefit from the Fund based on applicable Pensionable Episcopal Stipend in relation to his office as at 31st May 2013 and that member's accrued service to 31st May 2013;
- (i) For an archbishop or bishop who entered episcopal service on or before 31st December 2010, Section 68 shall apply.
- (ii) For an archbishop or bishop who entered episcopal service on or after 1st January 2011, Section 77 shall apply.
- (d) With effect from 1st June 2013 all other relevant Sections of this Chapter (excluding Sections 52(1) (a), 73 (1) and 82 (1)) shall apply as if a contributing member as at 31st May 2013 commenced on a pension payable out of the Fund on 1st June 2013 upon reaching his or her Normal Retirement Age, subject to any change in Pensionable Stipend or Pensionable Episcopal Stipend in the interim period.

Transfer of Existing Funds, Membership and Benefits

13. Subject to the provisions of Section 15 of this Chapter, nothing herein contained shall affect any right existing on the 31st December 1975, in any person under the provisions of Chapters XIV and XV of the statute entitled the Constitution of the Church of Ireland (Chapter I of 1972), but such right shall continue to exist and shall be enforceable as if the said Chapters XIV and XV had not been repealed.

14. The annuities which immediately prior to 1st January 1976 and under Section 13 hereof were payable to widows and orphans out of the Widows and Orphans (Church of Ireland) General Fund, shall be payable out of the Fund.
15. Notwithstanding the provisions of Section 13 of this Chapter:
- (a) voluntary members of the Widows and Orphans Fund on the 31st December 1975, shall not become members of the Fund, but shall be entitled to a refund of the contributions they have paid to the Widows and Orphans (Church of Ireland) General Fund since they last ceased to be compulsory members, with interest at 3% thereon;
 - (b) members who subscribed for increased or double benefits, as the case may be, in accordance with the provisions of Section 14 or 15 of Chapter XIV of the Constitution 1972, shall be entitled to a refund of the contributions paid in excess of those fixed under paragraphs (a) or (b) of Section 11 of the same Chapter, with interest thereon at 3%:

Provided however that any such Member of the Clergy who gave notice in writing to the Trustee before the 31st December 1976, may continue as a voluntary contributor or to subscribe for increased or double benefits, as the case may be, at the same rate of contribution or excess contribution, and for the benefits or excess benefits in effect on the 31st December 1975.

COMPOSITION OF THE FUND

16. The Fund shall consist of
- (a) the capital held by the Trustee in the account of the Fund and the income arising thereon;
 - (b) contributions to the Fund under this Chapter;
 - (c) every donation, benefaction and bequest and every sum of money received for the benefit of the Fund: Provided that the Trustee shall not be bound to accept any donation, benefaction or bequest if in its opinion same shall not be for the benefit of the Fund;
 - (d) such sum as shall be received under the provisions of Section 19 of this Chapter;
 - (e) every such other sum as the General Synod may allocate to the Fund from time to time.

TRUSTEE AND TERMS OF TRUST

17. The Trustee shall be the sole Trustee of the Fund and shall hold the Fund upon trust to apply the same in or towards providing the pensions and other benefits payable under this Chapter and shall make payments from the Fund as provided by this Chapter. No amendment shall be made by the Representative Body to any provision of the Memorandum or the Articles of Association of the Trustee save with the consent of the General Synod.
18. The Fund shall be maintained by the Trustee as a separate fund and shall be invested by the Trustee in accordance with Section 24 of this Chapter.
19. The Representative Body shall, after each valuation of the Fund and after consultation with the Actuary and the Trustee make provision to maintain the solvency and to secure the benefits of the Fund in such manner as it may think fit.

WINDING UP OF THE FUND

20. If circumstances require that the Fund must be terminated and wound up, then the Fund shall be realised and applied in accordance with the laws of Ireland in force at the time of winding up of the Fund provided that only the General Synod shall decide if the Fund must be terminated and wound up.

ADMINISTRATION OF THE FUND

21. The Fund shall be administered by the Trustee with the assistance of the Board.
22. (1) The powers and duties of the Trustee shall be:
- (a) to make such Regulations as it may deem necessary for the administration of the Fund including Regulations concerning the recognition of pension schemes for use by those deployed on a part-time basis in stipendiary ministry and related matters: Provided that such Regulations do not contravene any of the provisions of this Chapter;

- (b) to have the Fund valued by the Actuary at intervals of not more than three years and to report on such valuation to the General Synod;
 - (c) to take such action, not being contrary to the provisions of this Chapter, as may be deemed necessary or advisable in the interests of the Fund and its members;
 - (d) to appoint an Actuary and agree the terms of such appointment;
 - (e) subject to the approval of the Representative Body to appoint and define the terms and conditions of appointment and duties of the company secretary of the Trustee;
 - (f) to charge expenses of the administration of the Fund against the Fund;
 - (g) to obtain legal advice when considered appropriate;
 - (h) to appoint members of Medical Panel and to define their duties and remuneration;
 - (i) to administer the Fund and the system of contributions and benefits established by this Chapter in accordance with the general principle that a proper actuarial relation shall be maintained between the contributions payable to the Fund and the several benefits proposed to be paid out of the Fund.
 - (j) to receive and decide upon every question arising as to membership, contribution or benefit;
 - (k) to levy, enforce, and receive the contributions and to authorise payment of the benefits provided for by this Chapter;
 - (l) to maintain a roll of members of the Fund;
 - (m) to keep records of and to carry out work in connection with any scheme of State Insurance affecting clergy in Service in the Church of Ireland and/or their dependants which may be necessary under any statute for the time being in force in Northern Ireland or in the Republic of Ireland or as may be required by the General Synod;
 - (n) to report annually to the General Synod and the members of the Fund, such report to include financial statements of the Fund showing receipts and payments therefrom together with the certificate of the Auditor appointed to audit the Accounts of the Representative Body.
- (2) Any person aggrieved by any decision made by the Trustee, or by any decision or action by any body or bodies acting on behalf of the Trustee, under any provision of this Chapter shall have a right to bring such grievance to the Internal Dispute Resolution Procedure established by the Trustee. If such person remains dissatisfied following the determination arising from the Internal Disputes Resolution Procedure, that person may subsequently bring the issue to the Pensions Ombudsman appointed under the Pensions Act.
- (3) The Trustee shall have power to appoint such committees from its own members and other persons as it may deem desirable and to delegate to such committees or to the Board or such other persons as the Trustee may deem appropriate any powers and duties, subject to the provisions of this Chapter and all such delegations shall be subject to review by the Trustee as to their proper discharge. In particular, the Trustee shall delegate to the Board all or part of any of the duties set out at sub-sections (1)(h), (i), (j), (k), (l) and (m).
23. (1) The Trustee, on the advice of the Actuary, is authorised to take any such action or make any such regulation, including in particular the separation of the Fund into a Clergy Pensions Fund (Republic of Ireland) and a Clergy Pensions Fund (Northern Ireland), which is in its opinion necessary and in the best interests of the members and annuitants
- (a) to ensure conformity with any statute for the time being in force in Northern Ireland or in the Republic of Ireland whether such statute be enacted before or after the passing of this statute; or
 - (b) as a consequence of disparity between the currency of the United Kingdom and the currency of the Republic of Ireland.
- (2) Any such action shall not be taken or regulation made effective until it has been approved or confirmed by a resolution of the Representative Body.
- (3) Any such act of the Trustee shall be reported to the General Synod at its next ordinary session.

INVESTMENT POWERS OF THE TRUSTEE

24. (1) The Trustee may retain in any bank account such moneys as it may consider proper and shall have power to invest all moneys coming into its hands on account of the Fund and to transpose and vary any such investments into any form of investment, (including such financial derivatives and other instruments approved from time to time by the Representative Body), that it may think fit. All such investments shall be made in whatever currencies as may be required to enable the Trustee to invest moneys held by it for investment to the best advantage and to give such security and to enter into whatever arrangements as may be necessary in connection therewith: Provided that the Trustee shall not be liable for any loss occasioned by the depreciation or failure of any investment or otherwise save by the Trustee's own wilful default.
- (2) The specific policies adopted from time to time by the Trustee are specified in the Statement of Investment Policy Principles relating to the Clergy Pensions Fund which is approved by the Representative Body and is available for inspection by members of the Fund. Social, environmental and ethical issues in relation to the selection, retention and realisation of investments shall be reviewed on an annual basis by the Investment Committee of the Representative Body on behalf of the Trustee and the Representative Body.

THE CHURCH OF IRELAND PENSIONS BOARD

25. The Board shall consist of seven members appointed as follows:
- (a) One member of the House of Bishops, elected by that House before 30th June 2015 and triennially thereafter;
 - (b) One member of the General Synod who is a member or spouse of a member of the Fund and two other members of the General Synod, elected by the General Synod in the year 2015 and triennially thereafter;
 - (c) One person who is a member or spouse of a member of the Fund and two other persons, elected by the Representative Body at its meeting next following the General Synod in 2015 and triennially thereafter, provided that all such members, on the 1st January preceding election shall have attained the age of seventeen years and have not attained the age of seventy-four years.
26. Any casual vacancy occurring by death, resignation or otherwise shall be filled by election
- (a) in the case of a member elected by the House of Bishops or the Representative Body, by the said House or Body, as the case may be;
 - (b) in the case of a member elected by the General Synod, by the Standing Committee of the General Synod.
- Any person elected to fill a casual vacancy shall hold office only for as long as the member whose place such person fills would have held office.
27. (1) Four members attending the meeting, either in person or by teleconference, shall form a quorum. At least one of the quorum shall be a member elected by the General Synod and at least one shall be a member elected by the Representative Body. A member of the Board shall not be entitled to be present at a meeting of the Board while any matter to which such member is specifically a party is being considered.
- (2) The Board shall, at its first meeting after 30th June 2015, and triennially thereafter, elect a chairperson, a vice-chairperson, and an honorary secretary out of its own members. The chairperson, or in the chairperson's absence the vice-chairperson, shall have a casting as well as an ordinary vote on all questions. Casual vacancies in any of the offices referred to in this Section may be filled at any meeting of the Board, the person so elected to hold office until the next triennial election.
28. The powers and duties of the Board shall be those powers and duties delegated to it by the Trustee under Section 22(3) of this Chapter. In addition, the Board shall discharge any duties that may at any time be delegated to it by the Trustee or that may otherwise be assigned to it.

INALIENABILITY

29. Entitlement to any benefit under this Chapter is proper to the beneficiary only, and shall cease to exist if any instrument or act purports to assign, charge, pledge, hypothecate or anticipate such benefit or to pass it to any trustee in bankruptcy: Provided that nothing in this Section shall prevent the payment of benefit to such person as the Trustee may appoint in any case in which the beneficiary is incapable or incompetent.

RETIREMENT AND SURRENDER BY APPLICANTS

30. Every applicant to whom a retiring annuity is granted under this Chapter must, before the payment thereof, resign any benefice, curacy, dignity of any kind, or other office held in the Church of Ireland, or any chaplaincy to which such applicant was appointed during the tenure of, and by reason of holding, any of the said offices; and must also surrender any glebe house or other residence, and any glebe lands or other property, occupied or enjoyed by virtue of such benefice or office; but may retain, with the consent of the bishop, but not otherwise, any allowance for good service or for long service: Provided that such retention of allowance shall not be contrary to the terms of any financial scheme of the diocese, as sanctioned by the Representative Body; and Provided further that the Representative Body, with the consent of the diocesan council, may let to any applicant on such terms as may be agreed upon, any such house, residence, lands, or property, or any part thereof, which are not, in the opinion of the Representative Body, required for the use or occupation of such applicant's successor; but subject to the payment by the applicant, during such letting, of any rent, rent-charge, interest, or instalments, payable in respect of the occupation of the premises; and the amount so payable by the applicant shall be deductible from such applicant's retiring annuity, and shall be applied in the same manner as income arising from the proceeds of sale of a glebe in accordance with rule 4 of Chapter XIII.
31. Without prejudice to the continued payment of any pension under this Chapter, every Member of the Clergy in receipt of any such pension shall remain and be subject to the discipline, laws, and ordinances, and amenable to the courts and tribunals of the Church of Ireland in the same manner in all respects as if such person were still in Service in the Church of Ireland.

MEDICAL PANEL

32. For the purposes of securing an Ill Health pension (Section 47) a Medical Panel shall consist of not less than three medical experts, appointed under Section 22(1)(h).

MEMBERSHIP

33. Each Member of the Clergy in Service in the Church of Ireland on the 1st January 1976 was enrolled without medical examination as a member of the Fund, subject to the provisions of this Chapter, and was so enrolled with credit for the number of years' service to which such person was entitled under the provisions of Chapter XV of the Constitution 1972 immediately prior to its repeal.
34. Membership of the Fund is restricted to those who were members of the Fund as at 31st May 2013.
35. No Member of the Clergy, exempted or excluded from membership in the Fund, nor any surviving spouse and/or children of such Member of the Clergy, shall have any claim to any benefit from the said Fund.

RATES OF CONTRIBUTION AND BASIS OF PAYMENT

36. With effect from 1st June 2013 and in order to secure the solvency of the Fund a levy shall be paid by each Diocese. All cures and other recognised offices within each Diocese will be subject to the levy which will be set at a percentage of Minimum Approved Stipend. Such levy shall be paid in respect of each curate assistant (including those appointed after 31st May 2013), in addition to the levy on a cure, but only for the duration of the appointment of that curate assistant.

The percentage of Minimum Approved Stipend to be applied as the levy will be approved annually by the Standing Committee on behalf of the General Synod on the recommendation of the Trustee and the Representative Body having regard to the financial status of the Fund and having received actuarial advice.

CONTRIBUTIONS FROM CENTRAL FUNDS

37. From time to time, contributions to the Fund may be made from the Representative Body or from such other source under the control of the Representative Body or the General Synod, as the Representative Body, with the approval of the Standing Committee of the General Synod, may determine.

Such contributions may be transferred at the discretion of the Representative Body in an amount, in a form and at a time deemed by the Representative Body to be most appropriate for the balanced and prudent management of the finances of the Representative Body.

OTHER CONTRIBUTIONS

38. Any Council, Society, Institution or Organisation which was responsible for the payment of a contribution to the Fund in respect of a member of the Fund as at 31st May 2013 shall pay a levy as prescribed in Section 36 of this Chapter in respect of that member.

WITHDRAWAL AND EXEMPTIONS

39. (1) Should a member cease to be a contributing member other than by retiring in accordance with any of Sections 42, 43, 44, 46 or 47 such member shall receive:
- (a) if such member has not completed two years of service, either a withdrawal benefit of the contributions paid by that member to the Fund with interest thereon at 3% *per annum* less any applicable tax or, at that member's discretion and with the consent of the Trustee, the accrued pension accumulation, in the form of a deferred pension, payable under Sections 42, 43, 44, 45, 46 or 47 whichever is applicable;
 - (b) if such member has completed two years of service, either the accrued pension accumulation, in the form of a deferred pension, payable under Sections 42, 43, 44, 45, 46 or 47 whichever is applicable, or a transfer to another fund or plan of that member's choice which shall have been approved by the relevant Revenue Authority of such sum as shall be decided upon by the Trustee on the advice of the Actuary as representing the value of the accrued pension accumulation.
- (2) When a member ceased on or after 1st January 1977 to be a contributing member and has not received a withdrawal benefit or a transfer in pursuance of sub-section (1)(b) of this Section, the portion of that member's accrued pension accumulation attributable to the contributions paid on or after 1st January 1976 (or if that member was enrolled after 1st January 1976 the accrued pension accumulation) subsisting on 31st December 1998 and each subsequent year shall be increased with effect on and from 1st January of the following year by the same percentage as that applied to pensions in course of payment, as provided by Section 61 of this Chapter.
- (3) (a) If a former member entitled to an accrued pension accumulation dies, and is survived by a spouse or dependent children, Sections 52 to 60 inclusive shall apply as if the former member had died in Service in the Church of Ireland, and for the purposes of Sections 52 and 57 pension entitlement shall be deemed to be that former member's accrued pension accumulation.
- (b) If a former member entitled to an accrued pension accumulation dies prior to reaching the age at which payment of pension would have commenced and is unmarried or leaves no surviving spouse nor dependent children, a sum to be decided upon by the Trustee on the advice of the Actuary as representing the value of that former member's accrued pension accumulation shall be paid to the legal personal representatives of the deceased former member: Provided that at least five years' contributions have been paid and that at least two of those years relate to the period after 1st January 1991.
- (4) If a former member who is entitled to an accrued pension entitlement satisfies the requirements of Section 40(b) prior to Normal Retirement Age, the accrued pension entitlement shall be payable during such period, if any, prior to Normal Retirement Age as the Trustee shall decide.
- (5) The Trustee shall deduct from any payment made by it under this Section any tax chargeable in respect of such payment.
- (6) Section 31 of this Chapter shall not apply to a former member who is in receipt of a benefit under this Section.

BENEFITS

40. Every applicant for a pension, unless deemed to have resigned in accordance with Section 36 of Chapter IV, must satisfy the Trustee by such evidence as it shall deem sufficient that, as on the date of commencement of the annuity, either
- (a) such applicant is aged not less than sixty years and has served as a Member of the Clergy of the Church of Ireland for not less than two years; or
 - (b) such applicant has served as a Member of the Clergy of the Church of Ireland for not less than ten years and, as evidenced by a report from the Medical Panel appointed by the Board, is either
 - (i) permanently disabled by age or infirmity from the efficient discharge, without assistance, of ministerial or official duties; or

- (ii) permanently and wholly disabled by age or infirmity from the efficient discharge of any ministerial or official duties.

41. It shall be the duty of every member of the Fund, surviving spouse of a member of the Fund, or the guardian of the children of a deceased member of the Fund, to furnish the Trustee with such information as the Trustee may from time to time require.

Normal Retirement Pension

42. A Member of the Clergy, who was a member of the Fund on or before 31st December 2008 and for whom Normal Retirement Age is per the table in Part I, who retires on reaching their Normal Retirement Age, shall receive a pension calculated in the following manner, that is to say, the accrued service in the Church of Ireland to 31st May 2013 but excluding such years in excess of 40, multiplied by one sixtieth part of the Pensionable Stipend in force on the last day of that member's service.
43. A Member of the Clergy, who has entered membership of the Fund on or after 1st January 2009 and for whom Normal Retirement Age is 67 or 68, as per the table in Part I, who retires on reaching his or her Normal Retirement Age, shall receive a pension calculated in the following manner, that is to say, the accrued service in the Church of Ireland to 31st May 2013, multiplied by one sixtieth part of the Pensionable Stipend in force on the last day of that member's service.

Early Retirement Pension

44. Should a member of the Fund who has completed two years' Service in the Church of Ireland wish to retire after attaining the age of 60 years before reaching Normal Retirement Age and applies for payment of their accrued pension, the pension payable shall be the product of a sum calculated in accordance with the provisions of Section 42 or Section 43 as the case may be, multiplied by such rate as the Trustee may determine on the advice of the Actuary. The Trustee may decide that payment of the pension be deferred until the member reaches their Normal Retirement Age.

Late Retirement Pension

45. (1) A member in Service in the Church of Ireland who was a member on 31st December 2008 but had not yet reached Normal Retirement Age and who subsequently retires after reaching Normal Retirement Age, shall be entitled to a pension which shall be the product of a sum calculated in accordance with the provisions of Section 42 applied on the day on which that member reached Normal Retirement Age, multiplied by such rate as the Trustee may determine on the advice of the Actuary.
- (2) A member in Service in the Church of Ireland who became a member on or after 1st January 2009 and who subsequently retires after reaching Normal Retirement Age shall be entitled to a pension which shall be the product of a sum calculated in accordance with the provisions of Section 43 applied on the day on which that member reaches Normal Retirement Age, multiplied by such rate as the Trustee may determine on the advice of the Actuary.
46. (1) A member in Service in the Church of Ireland on 31st December 2008, who had reached the age of 65 years on that date and retires on or after 1st January 2009, shall be entitled to a pension calculated in accordance with the provisions of sub-section (2) of this Section and Section 45(1) calculated in the following manner: the pension as calculated as at 31st December 2008 in accordance with sub-section (2) of this Section multiplied by such rate as the Trustee shall determine from time to time on the advice of the Actuary. The year 2009 (or a portion thereof if less than one year) will be deemed to be Year 1 after Normal Retirement Age for the purposes of the calculation.
- (2) In respect of a member who retires under sub-section (1) hereof, the following shall be the basis of calculation:

The pension shall be the product of a sum calculated in accordance with the provisions of Section 42 applied as on the day on which such member reached the age of 65 years, multiplied by the relevant rate % in accordance with the following table:

Postponed Retirement Age	Rate %
66	110
67	122
68	135

69	149
70	165
71	182
72	201
73	222
74	245
75	271

Provided that, if the pension were to be greater if it were calculated in accordance with the provisions of Section 42 relating to:

- (a) years of service to the date of retirement excluding any years in excess of 45; and
- (b) Minimum Approved Stipend for 2008

that member shall receive instead such increased pension.

Ill Health Pension

47. A member who is under Normal Retirement Age and seeks to retire on the grounds of ill health under Section 40(b) and who the Trustee determines, on the basis of medical reports furnished by at least two members of the medical panel, cannot be expected to return to duty or take up regular employment shall receive a disability pension for the duration of such member's incapacity for work equal to 90% of a pension calculated in the manner laid down in Section 42 or Section 43 as the case may be, subject to a minimum pension of 15% of the Pensionable Stipend in force on the last day of service.

Provided that if a member to whom this Section refers is unable to carry out ministerial or official duties for a period of six months (or such shorter period not in any event being less than three months as the Trustee may in any particular case determine) before the date of retirement, such member's pension shall be calculated in the manner laid down in Section 42 or Section 43 as the case may be, subject to a minimum pension of 15% of the Pensionable Stipend in force on the last day of service.

Other

48. The provisions of this Chapter in force upon the date on which a member, in accordance with the provisions of Section 39 of this Chapter, ceased to be a contributor to the Fund shall continue to apply to or in respect of that member notwithstanding any modifications which may subsequently be made to those provisions.

This Section shall not apply to any modifications to Section 39 of this Chapter which are included in a Statute enacted by the General Synod at its ordinary session in the year 1998.

49. The Trustee shall, in relation to contributors resident in both Northern Ireland and Republic of Ireland, administer the Church of Ireland Voluntary Contributions Schemes, the establishment of which was approved by resolution of the General Synod dated 21st May 1985, in compliance with Additional Voluntary Contributions statutory regulations in force in both jurisdictions at that time and as subsequently amended from time to time.

Death Benefits and Surviving Spouse's Pension

50. Where a member dies while in Service in the Church of Ireland before reaching Normal Retirement Age and in respect of whom a contribution has been paid to the Fund and who was not accepted for insured benefits in the Clergy Defined Contribution Pension Scheme as at 1st June 2013, there shall be paid to such member's legal personal representatives a lump sum equal to the Pensionable Stipend in force on the date of death of the said member multiplied by four.
51. (1) When a member, the payment of whose pension has commenced, dies not more than five years after the date on which such payment commenced, there shall be paid to such member's legal personal representatives a lump sum as may be determined by the Trustee on the advice of the Actuary representing the annual rate of pension operative on the date of death multiplied by the number of years and portion of a year from the date of death to the date which is five years after the date on which payment commenced.

- (2) When a member dies in Service in the Church of Ireland after reaching Normal Retirement Age, such member shall be deemed for the purposes of this Section to have retired on pension on the date of death.

52. Except as hereinafter provided:

- (1) (a) The surviving spouse of a member who dies before reaching Normal Retirement Age while in Service in the Church of Ireland on or after 17th May 2001 shall receive from the date of death of the deceased member a pension as set out in the provisions of the relevant Clergy Defined Contribution Pension Scheme; in addition if a surviving spouse's pension at the rate of two-thirds of the member's pension from the Clergy Pensions Fund at date of death is greater than the provision under the Clergy Defined Contribution Pension Scheme the excess over the Clergy Defined Contribution Pension Scheme provision shall be paid from the Clergy Pensions Fund.
- (b) The surviving spouse of a member who was in Service in the Church of Ireland on 18th May 1989 and was aged 70 years or over on that date, and the surviving spouse of a member who was in receipt of a pension on that date, shall receive a pension at the rate of eight-ninths of the deceased member's pension entitlement at the date of death.
- (c) The surviving spouse of any other member shall receive a pension at the rate of two-thirds of the deceased member's pension entitlement at the date of death or, if such member had exercised the option to commute under Section 86, two-thirds of what such member's pension entitlement would have been at the date of death if such member had not so commuted.
- (2) If the member was enrolled before 19th May 1988, the pension under sub-section (1) (b) or (c) shall be not less than 15% of the Minimum Approved Stipend for the purposes of Section 51 (1) of Chapter IV in force on the last day of service.

53. If a surviving spouse is more than 10 years younger than the deceased member, and if the marriage has taken place less than two years before such member's death, the surviving spouse's benefit shall be for an amount to be determined by the Trustee on the advice of the Actuary.

54. If the member other than a member enrolled under Section 33 of this Chapter was enrolled at age fifty-five years or later such member's surviving spouse's and children's benefits shall be in amounts to be determined by the Trustee on the advice of the Actuary.

55. Subject to the provisions of this Chapter, no benefits shall be payable to the surviving spouse or children of a marriage taking place after retirement.

56. A surviving spouse shall cease to be entitled to any benefit under this Chapter upon having re-married on or before 17th June 1991.

Children

57. (1) The surviving spouse of a member of the Fund who dies in Service in the Church of Ireland shall receive a child dependency allowance equal to one third of the said surviving spouse's pension as set out in Section 52 in trust for each of the deceased member's children until the month in which the child attains the age of 18 years or marries, whichever is the earlier.

Provided that the total amount payable to the surviving spouse of a member under Section 52 and as trustee under this Section shall not exceed two-thirds of the Pensionable Stipend in force on the last day of the deceased member's service.

- (2) The surviving spouse of any other member of the Fund who is in receipt of a benefit under this Chapter shall receive a child dependency allowance equal to one third of the said surviving spouse's pension entitlement at the date of the member's death in trust for each of the member's children, until the month in which the child attains the age of 18 years or marries, whichever is the earlier.
- (3) The Trustee may at its discretion and without the limitation of age prescribed by sub-sections (1), (2) and (4) of this Section pay a child dependency allowance in respect of a child of any age of a member who dies in, or retires on pension from, Service in the Church of Ireland after 1st January 1986 where the medical panel has certified that such child is at the date of death of the member or upon reaching the age of 18 years (whichever is the later) wholly incapable of self-support by reason of physical or mental handicap.
- (4) The limitation of age prescribed by sub-sections (1) and (2) of this Section shall, in respect of each child who is engaged in third-level education, be 23 years.

58. In the event of the death of both parents of a child eligible for benefits under this Chapter the Trustee shall determine how much, if any, of the benefits which would have been paid to the surviving spouse under Section 52, 73 or 82, if the surviving spouse had remained living, may become payable and be paid in addition to the child dependency allowance, provided always that such benefits will only be paid until such child attains the age of 18 years or, if engaged in third-level education, 23 years, or marries, whichever is the earlier. The said benefits shall be paid to the legally appointed guardian of the said child or if no such guardian has been appointed to such other person as the Trustee may from time to time approve to be held in trust by such guardian or other person for the said child.
59. Notwithstanding anything contained in this Chapter, the Trustee shall give effect to any order made by a civil court concerning retirement benefits consequent on the grant of a decree of judicial separation, annulment or dissolution of the marriage of a member or any order in proceedings concerning the custody of a child or children of a member.
60. (1) Where prior to death a deceased member and that member's spouse were separated or the marriage was annulled or dissolved, and an order to which Section 59 refers has not been made, a child dependency allowance shall be payable in respect of each of the children of the marriage to the person having actual custody of the children or such other person as the Trustee may from time to time approve to be held in trust by such person for each such child until the month in which such child attains the age of 18 or, if engaged in third-level education, of 23, or marries, whichever is the earlier.
- (2) A child dependency allowance payable under this Section shall be calculated in accordance with the provisions of Section 57(1) as if the provisions of that Section applied to this Section.
- (3) The provisions of Section 57(3) shall apply to allowances under this Section without the limitation of age prescribed by sub-section (1) of this Section.

Pension Increases

61. The rate of
- (a) each pension payable to a member of the Fund under Section 14 or any of Sections 42 to 45 (inclusive) of this Chapter,
 - (b) each pension payable to the surviving spouse of a member of the Fund (not being the surviving spouse of a voluntary member) under Section 14 or Section 52 of this Chapter, and
 - (c) each child dependency allowance under Section 57 of the Chapter,

which was in course of payment on 31st December 1995 and each subsequent year shall be increased with effect on and from 1st January of the following year by the percentage required by law, or such greater percentage up to 5% as the Trustee on the advice of the Actuary and with the approval of the Representative Body may determine.

PAYMENT OF PENSION

62. All benefits and allowances accrue from day to day so long as title thereto continues.
63. Payment shall be made by monthly instalments on the last day of the month following that in which the benefit accrues, notwithstanding that the rate of benefit is expressed as an amount *per annum*.
64. (1) Notwithstanding anything to the contrary in this Chapter, a surviving spouse, within twelve months of becoming eligible for a surviving spouse's pension under this Chapter, may with the approval of the Trustee elect to have entitlement thereto deferred in accordance with the provisions of this Section.
- (2) The election referred to in sub-section (1) of this Section shall satisfy the following conditions:
- (a) The election shall be in writing signed by the person entitled to make it or by a person legally authorised to do so on the surviving spouse's behalf.
 - (b) The deferment shall be effective from the date of first eligibility for the pension to which it relates.
 - (c) The deferment shall remain in force until withdrawn in writing signed by or on behalf of the person who made the relevant election, and specifying the date of withdrawal, which shall be not less than 7 days after notice of the withdrawal has been received by the Board.

- (3) The rate of a pension so deferred shall for the period in which the deferment remains in force but no longer be augmented at the rate of 6% *per annum* compound interest, and on the termination of that period payment if due shall be made at the rate so augmented: Provided that, when any sum has been paid to the surviving spouse between the date of eligibility for pension and its deferment, the amount of augmentation shall be reduced by such amount as the Actuary shall advise.
- (4) No pension shall be payable in respect of a period in which a deferment remains in force and if entitlement to a pension ceases during that period, whether by reason of the death of the surviving spouse or otherwise, no payment in respect of arrears for such period shall be payable.
- (5) No child dependency allowance or any part thereof shall be deferred.

RETIREMENT BENEFITS (EPISCOPAL)

65. Sections 66 to 75 and 84 to 85 (inclusive) shall apply to an archbishop, bishop or surviving spouse of an archbishop or bishop who had entered episcopal service in the Church of Ireland on or before 31st December 2010.
66. Nothing herein contained shall affect any right existing on 31st December 1978, in any person under the provisions of Sections 30 to 40 (inclusive) of Chapter VI of the statute entitled the Constitution of the Church of Ireland (Chapter I of 1978), but such right shall continue to exist and shall be enforceable as if the said Sections 30 to 40 of the said Chapter VI had not been repealed.
67. The annuities which immediately prior to the enactment of Sections 65 to 85 of this Chapter and under Section 66 hereof were payable to surviving spouses of archbishops and bishops out of the Fund for the Augmentation of the Incomes of Bishops' Widows, shall be payable out of the Fund.

Normal Retirement Pension

68. An archbishop or bishop who entered episcopal service after 17th May 1990 and who has fulfilled the requirements of Section 25 of Chapter VI shall receive a combined pension calculated in the following manner:
 - (a) The greater of;
 - (i) the accrued service to 31st May 2013 multiplied by one sixtieth of the Pensionable Stipend in force on reaching Normal Retirement Age; or
 - (ii) forty sixtieths of the Pensionable Stipend in force on reaching Normal Retirement Age multiplied by the ratio of accrued service to 31st May 2013 to the potential service as a member of the Fund to age 65.

Provided that if as a member of the Fund such person is entitled to an increased late retirement pension under Section 45, such person shall receive instead such increased pension

and

 - (iii) in respect of each completed year, or part thereof, of episcopal service up to 31st May 2013, with a maximum of twelve years, one eighteenth of the difference between the Pensionable Stipend in force on the last day of episcopal service and the Pensionable Episcopal Stipend as fixed by the Representative Body and in force on the last day of episcopal service multiplied by the ratio of accrued episcopal service to 31st May 2013 to episcopal service to age 65.

Early Retirement Pension

69. An archbishop or bishop whose resignation has been accepted under Section 27 (2) of Chapter VI shall receive a pension of an amount to be determined by the Trustee on the advice of the Actuary.

Other

70. Where an archbishop or bishop has become entitled to a pension under Section 68, and such archbishop or bishop is subsequently instituted or licensed to a paid ecclesiastical office in the Church of Ireland or elsewhere, the following provisions shall apply:
 - (a) Such archbishop or bishop shall not be entitled to receive a further lump sum upon ceasing to hold such office.
 - (b) Such archbishop's or bishop's legal personal representatives shall not be entitled to receive any benefit under Section 50.

III Health Pension

71. An archbishop or bishop whose resignation has been accepted under Section 26(3) of Chapter VI shall receive an ill health early retirement pension equal to 90% of a pension calculated in the manner laid down in Section 68.

Provided that if an archbishop or bishop, to whom this Section refers, is unable to carry out archiepiscopal or episcopal duties for a period of six months (or such shorter period not in any event being less than three months as the Trustee may in any particular case determine) before the date appointed under Section 26(3) of Chapter VI, such archbishop's or bishop's pension shall be calculated in the manner laid down in Section 68.

Death Benefits and Surviving Spouse's Pension

72. (1) When an archbishop or bishop, the payment of whose pension commenced after 1st January 1986, dies not more than five years after the date on which such payment commenced, there shall be paid to such archbishop's or bishop's legal personal representatives a lump sum as may be determined by the Trustee on the advice of the Actuary representing the annual rate of pension operative on the date of such archbishop's or bishop's death multiplied by the number of years and portion of a year from the date of death to the date which is five years after the date on which payment commenced.
- (2) When an archbishop or bishop dies after 1st January 1986 in episcopal service after reaching Normal Retirement Age, such archbishop or bishop shall be deemed for the purposes of this Section to have retired on pension on the date of death.
73. (1) The surviving spouse of an archbishop or bishop who dies before reaching Normal Retirement Age while in episcopal service on or after 17th May 2001 shall receive from the date of such archbishop's or bishop's death a pension as set out in the provisions of the Clergy Defined Contribution Pension Scheme; in addition if a surviving spouse's pension at the rate of two-thirds of the archbishop's or bishop's pension from the Clergy Pensions Fund at date of death is greater than the provision under the Clergy Defined Contribution Pension Scheme the excess over the Clergy Defined Contribution Pension Scheme provision shall be paid from the Clergy Pensions Fund.
- (2) The surviving spouse of any other archbishop or bishop who was in episcopal service on 1st January 1979 or who enters episcopal service after that date shall receive a pension at the rate of two-thirds of the deceased archbishop's or bishop's pension entitlement at the date of death or, if that archbishop or bishop had exercised the option to commute under Section 86, two thirds of what that archbishop's or bishop's pension entitlement would have been at the date of death if such archbishop or bishop had not so commuted.
74. (1) The surviving spouse of an archbishop or bishop who is in receipt of a benefit under Section 73 shall receive a child dependency allowance equal to one third of the said surviving spouse's pension in trust for each of the archbishop's or bishop's children, until the child attains the age of 18 years or, if engaged in third-level education, 23 years, or marries, whichever is the earlier:

Provided that the total amount payable to the said surviving spouse under Section 73 and as trustee as aforesaid under this Section shall not exceed two-thirds of the Pensionable Episcopal Stipend in force on the last day of the deceased archbishop's or bishop's service.

- (2) The Trustee may at its discretion and without the limitation of age prescribed by sub-section (1) of this Section pay a child dependency allowance in respect of a child of any age of an archbishop or bishop who dies in, or retires on pension from, episcopal service after 1st January 1986 where the medical panel has certified that such child is at the date of death of the archbishop or bishop or upon reaching the age of 18 years (whichever is the later) wholly incapable of self-support by reason of physical or mental handicap.
75. Where an archbishop or bishop dies in episcopal service on or after 1st January 1980, such archbishop's or bishop's pension entitlement for the purposes of Sections 72 73 and 74 shall be calculated in accordance with Section 68.
76. Sections 77 to 85 (inclusive) shall apply to an archbishop, bishop or surviving spouse of an archbishop or bishop who enters episcopal service in the Church of Ireland on or after 1st January 2011.

Normal Retirement Pension

77. An archbishop or bishop who has fulfilled the requirements of Section 25 of Chapter VI at Normal Retirement Age shall receive a pension calculated in accordance with the provisions of sub-sections (1) and if applicable, sub-section (2) below:

- (1) The actual service to 31st May 2013 as a member of the Fund multiplied by one sixtieth of the Pensionable Episcopal Stipend in force on the last day of such member's service.
- (2) Any additional service to credit under Section 80 multiplied by one sixtieth part of the Pensionable Stipend in force on the last day of such member's service.

Early Retirement Pension

78. An archbishop or bishop whose resignation has been accepted under Section 27 (2) of Chapter VI shall receive a pension of an amount to be determined by the Trustee on the advice of the Actuary or the Trustee may decide that payment of the pension be deferred until the member reaches their Normal Retirement Age.

Ill Health Pension

79. An archbishop or bishop whose resignation has been accepted under Section 26(3) of Chapter VI shall receive an ill health early retirement pension equal to 90% of a pension calculated in the manner laid down in Section 77.

Provided that if an archbishop or bishop, to whom this Section refers, is unable to carry out archiepiscopal or episcopal duties for a period of six months (or such shorter period not in any event being less than three months as the Trustee may in any particular case determine) before the date appointed under Section 26(3) of Chapter VI, such archbishop's or bishop's pension shall be calculated in the manner laid down in Section 77.

Additional Personal Contributions

80. The benefit in relation to additional service purchased by an Archbishop or Bishop to 31st May 2013 shall be based on the Pensionable Stipend.

Death Benefits and Surviving Spouse's Pension

81. (1) When an archbishop or bishop, the payment of whose pension has commenced, dies not more than five years after the date on which such payment commenced, there shall be paid to such archbishop's or bishop's legal personal representatives a lump sum as may be determined by the Trustee on the advice of the Actuary representing the annual rate of pension operative on the date of such archbishop's or bishop's death multiplied by the number of years and portion of a year from the date of death to the date which is five years after the date on which payment commenced.
- (2) When an archbishop or bishop dies in episcopal service after reaching Normal Retirement Age, such archbishop or bishop shall be deemed for the purposes of this Section to have retired on pension on the date of death.
82. (1) The surviving spouse of an archbishop or bishop who dies before reaching Normal Retirement Age while in episcopal service shall receive from the date of such archbishop's or bishop's death a pension as set out in the provisions of the Clergy Defined Contribution Pension Scheme; in addition if a surviving spouse's pension at the rate of two-thirds of the archbishop's or bishop's pension from the Clergy Pensions Fund at date of death is greater than the provision under the Clergy Defined Contribution Pension Scheme the excess over the Clergy Defined Contribution Pension Scheme provision shall be paid from the Clergy Pensions Fund.
- (2) The surviving spouse of an archbishop or bishop who dies after reaching Normal Retirement Age while in episcopal service or the surviving spouse of an archbishop or bishop the payment of whose pension had commenced shall receive a pension at the rate of two-thirds of the deceased archbishop's or bishop's pension entitlement at the date of death, or, if such archbishop or bishop had exercised the option to commute under Section 86, two thirds of what that archbishop's or bishop's pension entitlement would have been at the date of death if such archbishop or bishop had not so commuted.
83. (1) The surviving spouse of an archbishop or bishop who is in receipt of a benefit under Section 82 shall receive a child dependency allowance equal to one third of the said surviving spouse's pension in trust for each of the archbishop's or bishop's children, until the child attains the age of 18 years or, if engaged in third-level education, 23 years, or marries, whichever is the earlier:

Provided that the total amount payable to the said surviving spouse under Section 82 and as trustee as aforesaid under this Section shall not exceed two-thirds of the Pensionable Episcopal Stipend (as the case may be) as fixed by the Representative Body and in force on the last day of the deceased archbishop's or bishop's service.

- (2) The Trustee may at its discretion and without the limitation of age prescribed by sub-section (1) of this Section pay a child dependency allowance in respect of a child of any age of an archbishop or bishop who dies in, or retires on pension from, episcopal service after 1st January 2011 where the medical panel has certified that such child is at the date of death of the archbishop or bishop or upon reaching the age of 18 years (whichever is the later) wholly incapable of self-support by reason of physical or mental handicap.

Pension Increases

84. The rate of

- (a) every pension payable to an archbishop or bishop under Section 67 or any of Sections 68, 70 71 and 77, 78, 79 of this Chapter,
- (b) every pension payable to the surviving spouse of an archbishop or bishop under Section 67 or Sections 73 and 82 of this Chapter, and
- (c) every child dependency allowance payable under Sections 74 and 83 of this Chapter

which was in course of payment on 31st December 1980 or any subsequent year shall be increased with effect on and from 1st January of the following year by the same percentage as that determined under Section 61 of this Chapter.

- 85.** Sections 29, 30 (subject to the qualification contained in Section 70), 31, 45, 53, 54, 55, 56, 58, 62, 63 and 64 shall apply to the benefits payable under Sections 68 to 84.

COMMUTATION OF PENSIONS

86. (1) On reaching Normal Retirement Age, a member of the Fund in the Republic of Ireland may opt either:

- (a) to commute not more than one fourth of the pension to which such member would be entitled upon retiring on that day into a lump sum at such rate as the Trustee may determine on the advice of the Actuary in which case the lump sum shall be payable forthwith and the pension entitlement under Sections 42 and 43 and Sections 68 and 77 shall be reduced by a percentage identical with the percentage of the pension which has been commuted; or
- (b) to defer a decision until retirement.

(2) A member of the Fund who retires from Service in the Church of Ireland before reaching Normal Retirement Age, or who retires after reaching that age (having deferred a decision under sub-section (1) if appropriate) may opt to commute not more than one fourth of the pension to which such member is entitled into a lump sum at such rate as the Trustee may determine on the advice of the Actuary.

(3) The exercise of an option under sub-section (1) or (2) shall be made in writing, before actual date of retirement but shall be made not more than six months before date of retirement, and when received by the Board shall be irrevocable.

(4) In no case shall a lump sum exceed one and a half years' Minimum Approved Stipend of the office held by the member concerned (or, in the case of an archbishop or bishop, one and a half times the Episcopal Stipend, as the case may be, as fixed by the Representative Body) in force at the date on which the lump sum becomes payable under sub-section (1) (a) or (2).

CERTIFICATE OF CONTINUED SOLVENCY

- 87.** The General Synod shall not consider any motion affecting the system of benefits and contributions set out in this Chapter unless the Actuary has certified that the solvency position of the Fund will not be adversely affected to a material extent.

COMPLIANCE WITH PENSIONS ACT

- 88.** This Chapter and the Fund are subject to the Pensions Act and shall take effect subject to any modification necessary to comply with it. The duties of the Representative Body, the Trustee, the Actuary and the Auditor shall be regulated by and carried out in accordance with the Pensions Act.

COMPLIANCE WITH TAXES CONSOLIDATION ACT 1997

- 89.** The Fund is a retirement benefit scheme as defined by Section 771 of the Act, capable of being treated by the Revenue Commissioners as an Exempt Approved Scheme. Notwithstanding anything in this Chapter, no benefit shall be provided under the Fund which would exceed the maximum benefit permitted, or would otherwise conflict with requirements imposed, by the Revenue Commissioners from time to time as a condition of approval under the Act. Any benefit otherwise provided shall be reduced or varied as may be necessary to ensure that the maximum is not exceeded and that there is no conflict with the requirements of the Revenue Commissioners.