

SECTION 3

SCHEMES

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THE SCHEME FOR THE SUPPORT OF MINISTRY IN THE CHURCH IN WALES 2007

- (1) From 1st January 2007:
 - (a) Subject to sub-section (3), the Representative Body shall provide each year a sum of money ("the Grant") calculated by reference to the estimated cost of the items listed in the schedule hereto ("the Schedule") in 2006 but limited to that part of the cost of such items met by the Representative Body for 2006;
 - (b) Subject to sub-section (1)(a) and sub-section 2(b), the Representative Body will no longer be responsible for meeting any part of the cost of the items listed in the Schedule;
 - (c) Subject to the Constitution of the Church in Wales and to any terms or conditions prescribed under subsection (5), each diocese shall determine for itself expenditure to be incurred upon the items listed in the Schedule.
- (2)
 - (a) With effect from 1st January 2009 sub paragraph (g) of the Schedule shall be amended to read as follows:

"25% of bursaries and grants for ordinands"
 - (b) With effect from 1st January 2009 the Representative Body will be responsible for 75% of bursaries and grants for ordinands.
- (3) Prior to 31st December 2008 and each year thereafter the Representative Body shall review the Grant and shall determine whether and to what extent the Grant should be adjusted, provided that the Grant shall be maintained at no less than the level stated in subsection (1)(a) until 31st December 2008.
- (4)
 - (a) The Grant shall be apportioned each year between the dioceses by reference to each diocese's share of the total expenditure by the Representative Body in 2002 on the items listed in the Schedule ("the Formula").
 - (b) Prior to 31st December 2008 the Representative Body shall review the Formula and determine whether it should be changed. Any such change shall not take effect before 1st January 2009.
- (5) The Representative Body, after consultation with each of the dioceses, may specify terms and conditions upon which the sum paid to each diocese shall be held and used by that diocese.
- (6) At the end of each quarter each diocese shall reimburse to the Representative Body any payments made by the Representative Body on behalf of and with the agreement of the diocese in respect of any of the items listed in the Schedule.

THE SCHEDULE

The items referred to in section 1 of this scheme are:

Clergy Benefits

- (a) Archdeacons' stipends, housing and expenses (where not parochial)
- (b) The stipends of the Dean, Residentiary Canon and Minor Canons of each cathedral
- (c) Current service pension contributions for all stipendiary clergy except bishops
- (d) Contributions to Bishops' Hardship Funds
- (e) Contributions to Widows, Orphans & Dependants Funds
- (f) Chaplains currently paid from the Maintenance of Ministry Fund

Clergy Training

- (g) Bursaries and Grants for Ordinands
- (h) Grants to Educational Bodies (principally St Michael's College)

Property

- (i) Costs of parsonage maintenance
- (j) Cost of insurance of clergy houses
- (k) Provision of Curates' houses

Grants

- (l) Representative Body Grants to Cathedrals
- (m) Diocesan & Archdeacons' Registrars costs

Governing Body

- (n) Governing Body Meeting Expenses

MAINTENANCE OF MINISTRY SCHEME

REGULATIONS PRESCRIBED BY THE REPRESENTATIVE BODY

Part I GENERAL PROVISIONS

1.

(1) This scheme shall be known as the Maintenance of Ministry Scheme, and all references to the Maintenance of Ministry Scheme or to the Reconstruction Scheme in the Constitution of the Church in Wales shall be taken to refer to this Scheme.

(2) From 1st January 2007 this Scheme shall be read subject to the Scheme entitled "The Scheme for the Support of Ministry in the Church in Wales 2007" (the "2007 Scheme") and in the event of any conflict between the 2007 Scheme and this Scheme the provisions of the 2007 Scheme shall prevail.

2.

The amount of any sum, grant, fee, allowance, stipend or gratuity referred to in this Scheme shall be determined from time to time by the Representative Body or the appropriate committee thereof and printed in the Schedule hereto, which Schedule need not be printed as part of this Scheme but the contents of which shall be printed at least annually by the Representative Body and distributed to its members and all serving clerics and deaconesses in the Church in Wales.

Part II

MAINTENANCE OF MINISTRY

FUNDS

3.

The Representative Body shall provide an annual sum of money for all dioceses (hereinafter called the "Maintenance of Ministry Fund") towards the cost of the maintenance of the ministry. This sum shall be apportioned quarterly to dioceses in accordance with the number of clerics in post at the beginning of each quarter, which number shall be increased by one-fifth of the difference, if any, between the aforesaid number and the number of clerics stated by the Bench of Bishops to be required for each diocese, whenever the latter number exceeds the former.

4.

In addition to the Maintenance of Ministry Fund, the Representative Body shall make allocations to the dioceses pursuant upon bequests in accordance with the Schedule hereof.

5.

(1) Each Diocesan Board of Finance shall submit its recommendations in respect of the assigned stipends and allowances at least three months before such recommendations are to become effective, except in the case of a new appointment.

(2) At the commencement of the last month in each quarter the Representative Body shall inform each Diocesan Board of Finance of the estimated excess expenditure on the maintenance of the ministry over and above the quarterly sum provided under section 3 hereof, and the Board of Finance shall pay over to the Representative Body the sum so advised before the end of that quarter.

6.

(1) On the recommendation of a Diocesan Board of Finance, the following shall be a proper charge against the Maintenance of Ministry Fund for that diocese:

- (a) the stipends and employer's National Insurance contributions of Incumbents and Assistant Curates;
- (b) house allowance to Incumbents;
- (c) grants of a temporary nature to allow the Bishop in special circumstances (e.g. where there is no vacancy in the incumbency but the Incumbent is unable to officiate) to provide additional assistance in the benefice;
- (d) payments for any other purpose which would benefit an Incumbent or a retired Incumbent;
- (e) a grant to the widow, widower or other dependant of an Incumbent or an Assistant Curate immediately following his or her death;
- (f) a grant to a Diocesan Board of Finance for payment for duties in vacant curacies;
- (g) the removal expenses of:
 - (i) an Incumbent moving into an incumbency in the diocese, moving when required by the diocese within an incumbency or moving from an incumbency on retirement;
 - (ii) a widow, widower or other dependant of any deceased Incumbent who would have been entitled to a grant under (i) above;
 - (iii) an Assistant Curate taking up a first appointment, moving to another curacy or being appointed to a benefice in the diocese;

- (h) fees for services in vacant incumbencies, namely;
 - (i) the fee, if any, for taking a service during a vacancy in a cure by a cleric or deaconess in the full-time stipendiary ministry of the Church in Wales or undertaking service reckoned as “pensionable service” for the purposes of chapter XII¹ of the Constitution of the Church in Wales, or by a cleric in receipt of a pension in virtue of his or her service in holy orders, or by a cleric in the non-stipendiary ministry who is overseventy years old;
 - (ii) where a service is taken by a licensed reader a fee shall be paid to the Diocesan Association of Readers’ Fund for each such service;
 - (iii) the travelling allowance for any person taking services in a vacant cure;
 - (i) a travelling expenses allowance payable to clerics or deaconesses who, at the request of the Diocesan Bishop, exercise pastoral care in neighbouring vacant parishes;
 - (j) the remuneration and expenses of Archdeacons, Canons, Area Deans and Diocesan Officers;
 - (k) the remuneration and expenses of no more than three accredited lay ministers in each diocese, who shall be counted in the number of clerics in post in the diocese for the purposes of the quarterly apportionment effected under section 3 hereof;
 - (l) augmentation of grant to the Cathedral Chapter under section 20;
 - (m) the expenses of the custodians of a parsonage in a vacant benefice, for which provision is made in chapter X² of the Constitution or the supplementary regulations thereto;
 - (n) contributions to the Parsonage Board Fund.
- (2) Except where otherwise provided, for the purpose of this section the expression:
- (a) INCUMBENT includes a cleric in charge of a suspended incumbency or conventional district and a Vicar in a rectorial benefice;
 - (b) ASSISTANT CURATE includes a cleric appointed to a full-time extra-parochial office by the Bishop by licence under seal and a Deaconess;
 - (c) DEPENDANT means a relative of a deceased cleric who, at the date of death, was residing and financially dependant upon him or her;
 - (d) DIOCESAN OFFICER means a cleric who at the request or with the consent of the Bishop performs specialist duties whether in addition to parochial duties or not;
 - (e) ACCREDITED LAY MINISTER means a lay person licensed by the diocesan Bishop to engage in the work of mission and ministry in the diocese or a parish or parishes thereof.

¹ Now Part II of the Schedule to this Scheme

² Now Regulation 14 of Chapter VII

(3) Except actual reimbursement of expenses and any fee for taking a service during a vacancy, the provisions of this section shall not apply to clerics in the non-stipendiary ministry of the Church in Wales.

Part III

PAROCHIAL CLERGY MINIMUM
STIPENDS

7.

(1) A Diocesan Board of Finance shall not, without the express approval of the Representative Body, recommend a stipend of less than the minimum provided in the Schedule, for:

- (a) an Incumbent of a rectorial benefice;
- (b) any other Incumbent;
- (c) a Vicar in a rectorial benefice;
- (d) a cleric in charge of a suspended incumbency or conventional district;
- (e) a cleric appointed to an extra-parochial office by a Bishop by licence under seal.

(2) Provided that in any case in which an Incumbent or a Vicar in a rectorial benefice also holds an office or appointment other than in the ministry of the Church in Wales and for which a separate stipend or payment is received, the Bishop of the diocese may recommend to the Representative Body (acting through the Maintenance of Ministry Sub-Committee) that the stipend to be paid to such Incumbent or Vicar be such sum as together with the separate stipend or payment received by the Incumbent or Vicar shall be not less than the appropriate minimum specified in accordance with the provisions of sub-section (1) hereof.

(3) A Diocesan Board of Finance shall not, without the express approval of the Representative Body, recommend an allowance of less than the minimum provided in the Schedule, for an Area Dean.

(4) The provisions of this section shall not apply in respect of any non-stipendiary cleric.

8.

(1) A Diocesan Board of Finance may recommend a grant payable to a parish, in respect of each full-time Assistant Curate or Deaconess employed in that parish subject to the Assistant Curate or Deaconess being in receipt of a stipend not less than that laid down in accordance with the provisions of section 9(1) hereof. The amount of a grant shall in no case exceed the amount of the stipend paid by the parish.

(2) Special grants in lieu of curacy endowments existing prior to 31st March 1920 and the income from endowments given since that date shall continue to be paid in accordance with the endowment.

9.

(1) The minimum annual stipend for an Assistant Curate, Cathedral Chaplain or Deaconess shall be as provided in the Schedule.

(2) In special circumstances, a Diocesan Board of Finance may recommend a grant in respect of an Assistant Curate or Deaconess who, with the approval of the Bishop, is in receipt of a stipend less than the prescribed minimum.

(3) These provisions shall apply in respect of any Assistant Curate or Deaconess who has been nominated by an Incumbent to act as Assistant Curate or Deaconess in a parish with the permission of the Bishop, and is undertaking full-time stipendiary duty.

Part IV

DIGNITARIES AND DIOCESAN CLERGY

10.

The Representative Body shall provide and pay the following stipends and expenses in respect of dignitaries and diocesan clergy.

11.

THE DIOCESAN BISHOP

- (1) The Representative Body shall provide for each Diocesan Bishop a personal stipend and an allowance towards the costs of the upkeep of his chapel and maintenance of his robes.
- (2) Each Diocesan Bishop may claim the following further allowances:
 - (a) the reimbursement of the cost of duty travel by public transport and a travelling allowance for duty travel by car;
 - (b) the reimbursement of reasonable expenses of accommodation incurred on duty travel;
 - (c) subject to consultation with the Bishops' Residences and Expenses Sub-committee³, the reimbursement of the cost of wages, subsistence and National Insurance contributions in respect of a driver;
 - (d) the reimbursement of reasonable office expenses;
 - (e) within the Representative Body's salary scale for secretarial staff at 39 Cathedral Road, Cardiff, the reimbursement of the cost of salary and National Insurance contributions and other reasonable expenses in respect of his secretary;
 - (f) the reimbursement of reasonable expenses of hospitality;
 - (g) the reimbursement of the expenses incurred in connection with ordinations; and
 - (h) the reimbursement of 75% of the cost of heating and lighting his residence.
- (3) The Archbishop shall, in addition to his stipend and allowances as a Diocesan Bishop, receive a further allowance.

³ Now the Human Resources Committee

12.

ASSISTANT BISHOPS

The Representative Body shall provide a stipend for an Assistant Bishop who is appointed to serve in the diocese of the Archbishop, which stipend shall be reduced by the amount of any other stipend payable to the Assistant Bishop by the Representative Body.

13.

THE DEAN

The Representative Body shall provide a stipend for a Dean.

14.

RESIDENTIARY CANONS

(1) The Representative Body shall provide a stipend for each full-time Residentiary Canon appointed under part 3 of the Schedule to a Cathedral Scheme.

(2) The amount of such stipend, which shall not exceed that specified in the Schedule, shall be agreed from time to time between the Bishop of the diocese and the Chairman of the Maintenance of Ministry Sub-Committee.

15.

CATHEDRAL CHAPLAINS

The Representative Body shall provide stipends for two Chaplains of each of the following cathedrals, namely:
St Asaph; Bangor; St.Davids; Llandaff; St.Woolos, Newport; and Brecon.

16.

ARCHDEACONS

- (1) The Representative Body shall provide a stipend for each Archdeacon, provided that:
- (a) the stipend shall be reduced by the amount of any other stipend payable to the Archdeacon by the Representative Body; and
 - (b) a stipend which has not been reduced in accordance with the provisions of paragraph (a) hereof shall not be paid to more than one Archdeacon in each diocese.
- (2) An Archdeacon shall be provided with a residence.
- (3) An Archdeacon may claim the following further allowances in respect of his duties as an Archdeacon:
- (a) the reimbursement of the cost of duty travel by public transport and a travelling allowance for duty travel by car;
 - (b) the reimbursement of reasonable expenses.

1

7. REMOVAL

EXPENSES FOR DIGNITARIES

- (1) The Representative Body shall contribute towards the reasonable expenses of removal of dignitaries and their dependants, in such manner as shall be decided by the Maintenance of Ministry Sub-committee⁴.
- (2) For the purposes of this section, "dignitaries" shall mean Bishops, Assistant Bishops, Deans, full-time Residentiary Canons, Archdeacons and Cathedral Chaplains.

⁴ Now the Human Resources Committee
April 2002

Part V

OTHER FINANCIAL PROVISIONS

18.

GRANT FOR WIDOWS, ORPHANS AND DEPENDANTS SOCIETY

The Representative Body shall make an annual grant to the Widows, Orphans and Dependants Society of the Church in Wales.

19.

THE CATHEDRAL CHAPTER

(1) The Representative Body shall make a grant to each Cathedral Chapter to be applied for any purpose in carrying out its Cathedral Scheme, and may make an additional grant to a Cathedral Chapter of an amount equal to the stipend provided for a Cathedral Chaplain under section 15 hereof.

(2) Each Cathedral Chapter shall furnish annually to the Representative Body, audited accounts which shall include all monies received from the Representative Body and income from properties vested in the Representative Body and managed by the Dean and Chapter.

Part VI

PARSONAGE

BOARD

20.

The contributions to the Diocesan Parsonage Board Account from each parsonage in the diocese within the Parsonages Scheme for the year commencing 1st January shall be at one of the rates selected by the Diocesan Parsonage Board, after consultation with the Diocesan Board of Finance from among those provided in the Schedule.

Part VII

CLERICAL

GRATUITIES

21.

April 2002

The Scheme for Clergy Pensions and Gratuities is set out in the Schedule hereto.

AS 23

Part VIII

MISCELLANEOUS MATTERS

22.

(1) A Diocesan Board of Finance, in conjunction with the Bishop, is responsible for the administration of any grant made to it for the payment for duties in vacant curacies.

(2) Requisition forms for payment towards the cost of duties in vacant curacies shall be forwarded to the Diocesan Board of Finance.

(3) Each Diocesan Board of Finance shall submit to the Representative Body a statement of account at the end of each financial year showing the application of the grant.

23.

(1) The Maintenance of Ministry Sub-committee⁵ shall keep the working of this Scheme under review and shall report as necessary, and at least once in each triennial period, to the Representative Body.

(2) The Maintenance of Ministry Sub-committee⁶ shall have power to decide any question of interpretation which it may be necessary to decide for the purpose of this Scheme.

24.

The Representative Body shall have power to make such modifications as it thinks fit to this Scheme and action so taken by the Representative Body shall be reported to the Governing Body.

25.

Notwithstanding anything herein contained, no pension shall be paid which exceeds the limits permitted by the Finance Act, 1970 or any statutory modification thereof for the time being in force and the "final remuneration" of a cleric for such purpose shall be calculated in accordance with the provisions of Part II of the Schedule hereto.

⁵ Now the Human Resources Committee

⁶ Now the Human Resources Committee

THE SCHEDULE

Part I

AMOUNTS OF SUMS, ALLOCATIONS, GRANTS, FEES,
ALLOWANCES, STIPENDS AND GRATUITIES REFERRED TO IN
THIS SCHEME

1.

The amount of the Maintenance of Ministry Fund, mentioned in section 3 (s.3) of the Scheme, shall be £0

2.

The amounts of the allocations mentioned in section 4 shall be:

- (a) £800 per annum to the Diocese of Monmouth in respect of the Llangattock Bequest;
- (b) £400 per annum to the Diocese of Llandaff in respect of the Neale Bequest;
- (c) £300 per annum to the Diocese of St Asaph for the benefice of Hawarden in respect of the Gladstone Bequest; and
- (d) £276 per annum to the Diocese of Swansea and Brecon under Sir John Llewellyn and the Baker Haynes Bequests.

3.

The amount of the grant to the Widow, Widower or other Dependant mentioned in s.6(1)(e) shall be £100.

4.

The amount of fees mentioned in section 6(1)(h) for taking services in a vacant incumbency shall be (from 1 January 2022):

	£
(a) cleric or deaconess in the full-time stipendiary ministry or in pensionable service	0
(b) cleric in receipt of a pension by virtue of service in Holy Orders	25.00
(c) cleric in the non-stipendiary ministry over seventy years old	25.00
(d) licensed Reader	25.00

5.

The amount of the travelling allowances mentioned in the following sections shall be (from 6 April 2011):

- (a) cleric or deaconess
in the full-time stipendiary ministry or in pensionable service and others, taking a service in a vacant incumbency s.6(1)(h), and pastoral care of the vacant parish s.6(1)(i)
- (i) first 10,000 miles.....45p per mile
(ii) thereafter25p per mile
- (b) Diocesan Bishop
where a car is not provided by the Representative Body
s.11(2)(a) (i) first 10,000 miles45p per mile
(ii) thereafter25p per mile
- (c) Archdeacon s.16(3)(a)
- (i) first 10,000 miles.....45p per mile
(ii) thereafter25p per mile

The amount of the travelling allowances mentioned in (a) to (e) above are subject to HM Revenue and Customs review in April of each year. Details of any such review will be sent to all concerned.

6.

- (1) The amount of the minimum stipends referred to in the following sections shall be (from 1 January 2022):

	£	% of Incumbents Stipend (approx)
(a) Assistant Curate, Cathedral Chaplain or Deaconess s.9(1),s.15.....	21,990	85
(b) Incumbent, Vicar in Rectorial Benefice, Cleric in Charge and Cleric appointed to an extra-parochial office. S7(1)(b)(c)(d)(e)	25,870	100
(c) Incumbent of Rectorial Benefice s.7(1)(a)	27,164	105

- (2) The amount of the stipends in the following sections shall be:

(a) Residentiary Canon s.14(2)	29,751	115
(b) Archdeacon s.16(1)	39,581	153
(c) Dean s.13	40,099	155
(d) Assistant Bishop s.12	43,979	170
(e) Diocesan Bishop s.11(1).....	47,860	185
(f) Archbishop.....	51,740	200

7.

The amount of the allowances mentioned in the following sections shall be:

	£	
(a) Diocesan Bishop - chapel and robes s.11(1)	50	per annum
(b) Archbishop s.11(3).....	700	per annum
(b) (c) Area Dean s.7(3).....	2,587	per annum

8.

The rates referred to in the following sections shall be (from 1 January 2022):

Parsonage Board s.20:

Parsonages other than houses occupied by Assistant Curates		Houses occupied by Assistant Curates	
Diocesan Board of Finance	Representative Body	Diocesan Board of Finance	Representative Body
£ 5,623	£ 0	£ 5,623	£ 0

9.

The amount of sums referred to in the following sections shall be:

	£
Surviving Spouse's Gratuity: s.19(4)(a) of Part II of the Schedule.....	2,500

THE SCHEDULE

Part II

CLERGY PENSION SCHEME

General Pensions Provisions

1.

Pensions under this Scheme shall be non-contributory, and shall be paid by the Representative Body.

2.

No pension payable by the Representative Body under this Scheme shall be capable of being assigned or surrendered.

3.

Except as otherwise provided, the former Clergy Pensions Scheme (in this Schedule called *the Previous Scheme*) ceased to have effect from 31st December 1977, and this present Scheme took effect on 1st January 1978.

4.

Any matter relating to this Scheme for which provision is not hereby made shall be determined by the Representative Body.

Pensionable Service

5.

(1) Pensionable service means years of service rendered by a cleric or deaconess in the full-time stipendiary ministry of the Church in Wales, or elsewhere as hereinafter provided, but in the case of persons retiring after 20th September 1983 every completed month shall count as a twelfth part of a year in calculating the total period of such pensionable service.

(2) Full-time stipendiary service in the Church in Wales, as a Secretary of a Provincial Council or Committee, or as a Diocesan Officer appointed to perform extra-parochial duties by licence under seal, shall be regarded as pensionable service.

(3) The Representative Body shall decide in every case whether a cleric or deaconess in part-time stipendiary service in the Church in Wales shall be allowed to accrue pension benefits proportional to those accrued by clerics or deaconesses in full-time stipendiary service.

6.

The maximum period of pensionable service for the purpose of calculating a pension shall be forty years, and the minimum two years.

7.

In any of the following cases, where

- (a) a Diocesan Bishop with the consent of the Bench of Bishops, or any other cleric or a deaconess with the consent in writing of the Bishop, leaves Wales to serve in the mission field overseas or as a chaplain to a Welsh church in England; or
- (b) a cleric or deaconess serves for a period as a full-time chaplain in Wales of the Mission to Seafarers; or
- (c) a cleric or deaconess serves for a period as a full-time member of the teaching staff of the University of Wales, Lampeter or St. Michael's College, Llandaff, or as a full-time warden or other member of the staff of a church hostel in Wales recognised as such by the Bench of Bishops,

such service shall be deemed to be pensionable service within this Scheme, unless such service, of itself, carries pension rights consequent thereon, and provided that the Representative Body may determine whether any particular service overseas is in the mission field.

8.

In the case of a cleric or deaconess whose ordination was delayed for a period on account of any effect of war or on account of performing National Service on the advice of the Bishop of the diocese prior to, but having been selected for, ordination, the Representative Body may declare that the whole or any part of such period shall be reckoned as pensionable service for the purposes of this Scheme, provided nevertheless that where such a cleric or deaconess has received a pension or gratuity from the Crown, other than a war disability pension or a war gratuity, the period of service in respect of which such pension or gratuity was paid shall not be so reckoned as pensionable service.

9.

In any cases where pursuant to the provisions of sections 17 or 18 of Chapter VI a cleric or deaconess has been required to retire, the amount of the pension shall be ascertained by reference to years of pensionable service in like manner as in the case of a cleric or deaconess who has retired under the provisions of this Scheme.

10.

The Representative Body may decide that service rendered by a cleric or deaconess other than as expressly referred to herein shall be deemed to be pensionable service.

Rates of Payment and Inland Revenue Funding Limits

11.

(1) The rate for the payment of pensions to clerics and deaconesses whose pensionable service began prior to 1st January 2006 shall be, for each year of pensionable service, one-fortieth of sixty *per cent* of the minimum stipend of the highest pensionable office held at any time during the last five years of such pensionable service.

(2) The rate for the payment of pensions to clerics and deaconesses commencing or returning to pensionable service after 31st December 2005 shall be, for each year of pensionable service thereafter, one fortieth of fifty *per cent* of the minimum stipend of the highest pensionable office held at any time during the last five years of such service.

(3) For the purposes of subsection (1) hereof, the offices of Archbishop, Diocesan Bishop, Assistant Bishop, Dean, Archdeacon, and Incumbent shall be pensionable offices.

(4) A cleric who has not held one of the pensionable offices mentioned in subsection (3) hereof and a deaconess shall be paid a pension as though he or she had been an Incumbent, provided that the offices of a Residentiary Canon and of a Rector in a Rectorial Benefice shall be deemed to be pensionable offices for the purposes of subsections (1) and (2) hereof in the case of clerics holding either office on 31 December 2001 or who, having held such office on or before that date, retired from the full-time stipendiary ministry of the Church in Wales on or before 31 December 2006 having held the office during the five years prior to their retirement.

(5) No pension rights shall be deemed to accrue as a result of any allowance or additional stipend paid to a cleric by reason of serving in a non-pensionable office.

(6) (a) For the purpose of calculating the pension and pension lump sum to be paid in accordance with this Scheme remuneration of a cleric or deaconess shall be taken to be the stipend paid by the Representative Body to such cleric or deaconess for the year immediately before retirement, provided that if a higher pensionable office has been held at any time during the last five years of pensionable service with the Church in Wales, the current stipend of that higher office shall be deemed for the purposes of this Scheme to have been paid for the year immediately before retirement; and

(b) Where prior to 6 April 2006 the Scheme was operated by reference to the limit on pensions imposed by HMRC "final remuneration" included the sum provided in the Schedule to the Maintenance of Ministry Scheme of the agreed value to such cleric or deaconess of the house which he or she then occupied for the purpose of determining whether or not a pension exceeded such limit.

Payment

12.

(1) No pension shall be paid without an application therefore, made in the form prescribed by the Representative Body, and signed by or on behalf of the applicant.

(2) Save in the case of an applicant under the provisions of paragraph 15(1) hereof or where the applicant is the Archbishop or a Diocesan Bishop, the application shall be countersigned by the Diocesan Bishop.

(3) In the case of an applicant under the provisions of paragraph 15(1) hereof, the application shall be submitted direct to the Secretary of the Representative Body.

13.

- (1) The rate of pensions in payment in respect of pensionable service completed before 1st January 2006 shall be increased by the percentage by which minimum clerical stipends are increased in each year.
- (2) (a) The rate of pensions in payment in respect of pensionable service completed after 31st December 2005 shall increase annually by the same percentage as the percentage increase in the Retail Price Index as published by the Office for National Statistics or its successors over the previous twelve months subject to a maximum increase of 5%.
- (b) If such index ceases to be published or the methods used to compile it make it impossible to calculate such percentage the index by reference to which such increase shall be calculated or an alternative method of calculation shall be determined by the Governing Body.

14.

Before and at any time during the continuance of payment of a pension to a cleric or deaconess suffering permanent disability within section 3 of Chapter XII of the Constitution, the Representative Body shall have the right to require such cleric or deaconess to undergo a medical examination by a doctor selected by the Representative Body, and in the event of such cleric or deaconess recovering his or her health and accepting a stipendiary office the Representative Body may, if it thinks fit, review the amount of such pension.

Frozen and Transferred Pensions

15.

(1) In the case of a person, not in pensionable service, who attains the appropriate minimum retirement age under Chapter VIII of the Constitution after 5th April 1975 and who qualifies for a pension under the provisions of this Scheme, the method of calculating the amount of such pension shall be that obtaining on 1st January 1978 or the date when such person ceased to be in pensionable service, whichever is the later. Nevertheless, on or after 20th September 1983, the amount of such pension shall be reviewed annually and increased by the percentage increase in the Retail Price Index over the previous twelve months up to, but not exceeding, *five per cent per annum*. On retirement the amount of such pension shall again be reviewed and increased by the percentage increase in the Retail Price Index over the period since the previous review, up to, but not exceeding, one twelfth part of five *per cent* for each completed month of such period.

(2) Where a person retires in circumstances where he or she was not in pensionable service in the Church in Wales immediately before such retirement, such person shall nevertheless be entitled to a pension under the provisions of subparagraph (1) hereof in accordance with his or her years of pensionable service if some part thereof accrued on or after 5th April 1975.

Discretionary and Ex Gratia Payments

16.

The Representative Body shall have power to make an *ex-gratia* award, if the Bishop of the diocese so recommends and on such conditions as the Representative Body may think fit, for the benefit of a cleric or deaconess who has less than two years pensionable service to his or her credit; such award shall be capable of review at anytime.

17.

Where the total income of any person in receipt of a pension under this Scheme is less than the maximum pension of an Incumbent, the Representative Body may, if it thinks fit, augment such pension by way of a discretionary grant.

Voluntary Early Retirement Provisions

18.

(1) Without prejudice to section 2(2) of Chapter VIII of the Constitution a cleric may retire from the stipendiary ministry provided he/she has attained 55 years of age or will attain 55 years of age on the proposed date of retirement.

(2) (a) A cleric who wishes to make an application to retire early must give to the Diocesan Bishop 3 months notice which period can only be reduced with the agreement of the Diocesan Bishop.

(b) The early release of pension and pension lump sum will be subject to actuarial reduction to take account of the early commencement of pension payments and the potentially longer period of payment.

(3) A pension granted in such circumstances is reduced for the whole period during which the pension is payable as is the prospective pension to the surviving spouse or civil partner, during which payment the pension will be subject to the same percentage increase each January as pensions taken at or after normal pension age.

19.

(1) A pension lump sum shall be paid to each retiring cleric or deaconess (hereinafter called "the beneficiary") who is entitled to a pension payable by the Representative Body.

(2) The pension lump sum may be increased at the request of the retiring cleric or deaconess on reduction of annual pension.

(3) The amount of the increased pension lump sum and reduced pension shall be determined by the Representative Body from time to time.

20.

(1) Where the beneficiary was in full-time service in the ministry of the Church in Wales immediately before retirement, the maximum pension lump sum will relate to the pensionable office held at the date of retirement and will be calculated at $1\frac{1}{2}$ times the minimum recommended stipend of that office at 31 December preceding the date of retirement plus $1\frac{1}{2}$ times one-twelfth of the annual increase for each completed month of service in the calendar year of retirement; provided that if a higher pensionable office has been held at any time during the last five years of pensionable service with the Church in Wales that higher office will be deemed for the purposes of this sub-section to have been held at the date of retirement.

The maximum pension lump sum is payable where forty years pensionable service has been completed. If the beneficiary has served for a shorter period, the pension lump sum payable will be the proportion which the number of years and completed months of pensionable service bears to forty years.

(2) Where the beneficiary was not in full-time pensionable service in the ministry of the Church in Wales immediately before qualifying for a pension payable by the Representative Body on attaining the minimum retirement age under Chapter VIII of the Constitution, the pension lump sum payable to the beneficiary shall be calculated at the rate obtaining on 1st January 1978 or the date when the beneficiary ceased to be in the full-time pensionable service in the ministry of the Church in Wales, whichever is the later. Nevertheless, on or after 20th September 1983, the amount of such pension lump sum shall be reviewed annually and increased by the same percentage as the percentage increase in the Retail Price Index over the previous twelve months up to, but not exceeding, five per cent per annum. On retirement, the amount of such pension lump sum shall again be reviewed and increased by the same percentage as the percentage increase in the Retail Price Index over the period since the previous review, up to, but not exceeding, one twelfth part of five per cent for each completed month of such period.

(3) If a cleric or deaconess retires before attaining the minimum retirement age on the grounds of permanent disability and has been awarded a pension payable by the Representative Body, such cleric or deaconess shall be entitled to the payment of a pension lump sum.

(4) In the event of a cleric or deaconess, who at the date of his or her death was in pensionable service and had attained the age of seventy, dying before retirement and who otherwise would have been entitled to a pension lump sum under the provisions of this Scheme on retirement and whose spouse or civil partner is not entitled to the Church in Wales Death in Service payment, there shall be paid to the surviving spouse or civil partner the greater of the following two sums:

- (a) the sum provided in the Schedule to the Maintenance of Ministry Scheme; or
- (b) the notional pension lump sum to which the cleric or deaconess would have been entitled under the provisions of this Scheme if he or she had retired immediately before his or her death.

In the event of the cleric or deaconess not leaving such a surviving spouse or civil partner, there may be paid to his or her dependants or relatives such sum, but not exceeding the amounts set out in (a) and (b) above, as shall be determined by the Bishop of the diocese.

21.

For the purposes of paragraph 20 hereof, the expression "full-time service in the ministry of the Church in Wales" shall include service reckoned as "pensionable service" for the purpose of paragraphs 5 to 10 hereof, and the Representative Body shall have full power to decide whether the service rendered by a cleric or deaconess is "full-time service in the ministry of the Church in Wales".

Pensions for Surviving Spouses or Civil Partners

22.

A surviving spouse or civil partner, whose spouse or civil partner died on or after 23rd September 1994, shall be entitled to a pension as of right, if

- (a) the deceased, immediately before his or her death, was a cleric or deaconess who was either
 - (i) in receipt of a pension (including an *ex-gratia* pension) or a grant in respect of service in the ministry of the Church in Wales, payable by the Representative Body, or
 - (ii) in pensionable service and he or she had at least two pensionable years of service to his or her credit,

and

- (b) the surviving spouse or civil partner was married to, or in a civil partnership with, the deceased, if retired, at the time of retirement.

23.

(1) The rate of such pension shall be sixty *per cent* of the pension which the deceased cleric or deaconess was receiving at the date of death or would have been entitled to receive under the provisions of this Scheme if the deceased had retired immediately before death.

(2) For the purpose of this paragraph, save where a surviving spouse or civil partner's pension is calculated on the deceased spouse or civil partner's entitlement under paragraph 15(1) hereof, any increase in the rate of clergy pensions shall be deemed to be applicable to the surviving spouse or civil partner's pension.

24.

The Representative Body shall have power, in exceptional circumstances, to award an *ex-gratia* pension to a surviving spouse or civil partner whose deceased spouse or civil partner satisfied the requirements of either paragraph (a), (b) or (c) of paragraph 28 hereof, notwithstanding that he or she had not been married to, or in a civil partnership with, the deceased for at least five years.

25.

Where the total income of any surviving spouse or civil partner in receipt of a pension under this Scheme is less than sixty *per cent* of the maximum pension of an Incumbent, the Representative Body may, if it thinks fit, augment such pension by way of a discretionary grant.

Transitional Provisions

26.

All clerics or deaconesses who retired during the years 1978 to 1984 (inclusive) shall, in addition to their pensions, receive annually the following augmentation for each year of pensionable service less than 40 years (subject to a maximum of 20 years).

<i>Year of retirement</i>	<i>Amount of augmentation</i>
	£
1978	21
1979	18
1980	15
1981	12
1982	9
1983	6
1984	3

27.

Notwithstanding the provisions of section 11 hereof, clerics who served as Area Deans at any time between 1st January 1992 and 31st December 1996 or who retired within five years of holding that office during that period, shall be paid a pension at the rate of one-fortieth of sixty *per cent* of the stipend of an Area Dean, which shall include any allowance or additional stipend paid to the cleric by virtue of serving in that office.

28.

A surviving spouse whose deceased husband or wife was immediately before his or her death a cleric or deaconess who was either:

- (a) in receipt of a pension (including an *ex-gratia* pension) or a grant in respect of service in the ministry of the Church in Wales, payable by the Representative Body, or
- (b) would have been in receipt of a pension if the previous Pension Scheme had been in operation at the date of death, or
- (c) in pensionable service and with at least two pensionable years of service to his or her credit,

shall be entitled to a pension as of right if:

- (i) in the case of a cleric or deaconess who died before 1st April 1966, he or she had at least ten pensionable years of service to his or her credit and she or he had been married to him or her for at least five years and was cohabiting with him or her at the time of his or her death;
- (ii) in the case of a cleric or deaconess who died on or after 1st April 1966 and before 1st January 1978, he or she had at least five pensionable years of service to his or her credit and she or he had been married to him or her for at least five years and was cohabiting with him or her at the time of his or her death;
- (iii) in the case of a cleric or deaconess who died on or after 1st January 1978 and before 23 September 1994 he or she had at least five pensionable years of service to his or her credit and had been married to the deceased for at least five years and was cohabiting with him or her at the time of death.

The Cathedrals

Every Cathedral must remain a Cathedral in the Church in Wales at all times. Subject to the provisions in the schedule below it shall be the responsibility of the trustee body of the Cathedral to determine its own scheme, or create its own constitution and regulations

Schedule

- 1) (a) The existing powers of the Bishop as Visitor, and his or her Ordinary Jurisdiction over the cathedral and the Chapter, shall continue as in times past.

(b) The Bishop may hold Ordinations, Confirmations, Synods and Visitations in the cathedral at such times and in such manner as he or she shall determine.

(c) With the consent of the Dean he or she may also hold other special services in the cathedral, but not so as to interfere with the divine worship of the cathedral.

(d) The Bishop shall have the right to take such part in Divine Service and to preach at such times in the cathedral as he or she shall think reasonable, after consultation with the Dean.
- 2) The trustee body of the Cathedral must comply with the Constitution of the Church in Wales and the Charities Acts.
- 3) The objects of the trustee body of the Cathedral shall be the promotion of the whole mission of the Church, pastoral, evangelistic, social and ecumenical, in the Cathedral.
- 4) The responsibilities of the trustee body of the Cathedral shall include:
 - a) Control of all the Cathedral finances except special trusts which otherwise provide.
 - b) Consideration of any matter properly referred to the trustee body of the Cathedral.
- 5) The membership of the trustee body of the Cathedral shall be a matter for each cathedral's scheme or constitution and regulations as the case may be, but at all times must include the Dean.
- 6) Each cathedral's scheme or constitution must include a clause as follows:

'No amendment to this [scheme/constitution] which is contrary to any provision in the Constitution of the Church in Wales may be made.'