

Diocese of Exeter

Priests over 70

Background

All clergy holding an office subject to common tenure are required to vacate that office on the day on which s/he attains the age of 70.

Ecclesiastical Offices (Age Limit) Measure 1975 section 1 states that no person shall be capable of being appointed or presented to an office listed in the Schedule to this Measure if at the time of their appointment or presentation the person has attained the age of seventy years. This would include any holder of an ecclesiastical office which is subject to Common Tenure.

The Ecclesiastical Offices (Terms of Service) Regulations 2009 Rule 29 allows for a person who holds or is to hold office under Common Tenure to be appointed for a fixed term or under terms which provide for the appointment to be terminated on the occurrence of a specified event.

Rule 29 (b) allows for such an appointment if the office holder has attained the age of seventy years and is occupying a post under a Licence granted by the Diocesan Bishop. Such a person should be granted a Licence for a term of years which ideally should be short enough to allow for the situation to be revised and renewed as required.

There is no difference to be made between an SSM priest or one in receipt of a stipend or other emoluments.

Following some recent requests to extend licences it seems sensible to reach a consensus across the Diocese how we handle these in the future. This should also include how fees are managed.

Agreed Position

Licensed Clergy to move to PtO when they turn 70. The Bishop may also, after seeking the consent of the PCC(s), extend a priest's licence beyond the age of 70 for a term of two years, if it can be demonstrated that they have:

- Particular responsibility which demonstrates pastoral delegation from the incumbent or priest in charge (or Bishop) and which can be described on a licence
- An up to date agreed working agreement
- The support of the incumbent or priest in charge, or, if they are the incumbent or priest in charge, the support of the PCC

Payment of fees

There is some concern about the inconsistent way fees are managed. It was agreed that:

1. Licensed clergy (whether stipendiary or SSM) are not entitled to claim either casual duty fees or 50% of the DBF part of occasional office fees for weddings and funerals, unless this is in their working agreement [*or Statement of Particulars, but note the clergy handbook says working agreement*] and approved by the Suffragan Bishop.
2. Clergy with PtO can claim a) casual duty fees for Sunday and midweek services (normally up to a maximum of four services in any one week). There is an informal expectation that casual duty fees are not usually claimed in the church(es) where a PtO priest regularly worships. b) 50% of the DBF part of occasional office fees for weddings and funerals.
3. Further information about occasional office fees can be found in the Bishops' Guidelines for Clergy and Parishes regarding Parochial Fees (Nov 2015, version 5) section 2.2, as set out below.
4. All clergy are entitled to claim travel expenses for services.

Guidelines for Clergy and Parishes regarding Parochial Fees (Nov 2015, version 5)

2.2 Retired Clergy

We value the contribution made to church life in the diocese by Retired Clergy.

Only Retired Clergy with Permission To Officiate (PTO) should be officiating at services and claiming an apportionment of the fee. Archbishops' Council have stated that if a minister without PTO takes a Church of England service he / she is acting illegally, and by taking the service itself he / she is liable to action under the Clergy Discipline Measure (CDM) even if he / she takes no fee.

Fees are to be apportioned by the PCC on the basis of 50% of the DBF fee to the officiant Retired Minister and 50% entered on the Diocesan Record of Fees Received sheets for periodic remittance to the DBF. Retired clergy should only receive half of the DBF element of statutory fees when a) there are no clergy licenced to the benefice; or b) the clergy licenced to the benefice are not available to officiate for whatever reason (other commitments within the benefice, holiday, illness).

Not infrequently, engaged couples, or families of deceased parishioners ask the serving parish priest if an ordained friend or relative may officiate. Although the serving parish priest will normally agree, he/she is only doing so as a courtesy to the couple or family. It is a major role of serving clergy to conduct weddings & funerals in the benefice. If the officiant "guest" clergyman were paid any fee it would represent a financial loss to the Diocese & increase the call on Common Fund to all parishes.

If the clergy licenced to the benefice are not available to officiate (either from the outset, or at the last minute), it would be legitimate for the officiant retired priest to receive half of the DBF fee even if they happen to be a friend or relative. In other words the need for an officiant retired priest precedes the request to officiate.

All working expenses should be reimbursed.

Retired Ministers receiving such part fees are responsible for declaring the income to HMRC for tax purposes.

Should the Retired Minister not wish to accept a fee, then the fees contact should include the whole DBF fee in the next remittance to Diocesan office.