

Status: Point in time view as at 13/06/2018.

Changes to legislation: There are currently no known outstanding effects for the Pensions (Pre-consolidation) Measure 2018 (repealed), Cross Heading: Clergy Pensions Measure 1961. (See end of Document for details)

SCHEDULE

PRE-CONSOLIDATION AMENDMENTS

Clergy Pensions Measure 1961

1 The Clergy Pensions Measure 1961 is amended as follows.

Commencement Information

I1 Sch. para. 1 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

2 (1) After section 18 insert—

“18A Clergy (Widows and Dependants) Pensions Fund: power to transfer

(1) The Board may transfer to the funded scheme the sum for the time being standing to the credit of the Clergy (Widows and Dependants) Pensions Fund.

(2) The power under subsection (1) is exercisable by deed.

(3) A deed executed in exercise of that power shall provide for the making of all payments that the Board would, but for the exercise of the power, be required to make under section 18(2), by requiring the Board—

(a) to make the payments out of the funded scheme, or

(b) to make arrangements for securing that alternative provision is in place for the payments to be made.”

(2) In section 18 (duty of Pensions Board to administer Clergy (Widows and Dependants) Pensions Fund), after subsection (3) insert—

“(4) This section is subject to section 18A.”

Commencement Information

I2 Sch. para. 2 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

3 In section 22 (officers and servants of Pensions Board), in subsection (1)—

(a) for “for the purpose of carrying this Measure into effect” substitute “ for enabling the Board to carry out their functions ”, and

(b) for “their duties and remuneration” substitute “ the duties and remuneration of such officers and servants ”.

Commencement Information

I3 Sch. para. 3 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

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- 4 (1) In section 26 (power of Pensions Board to provide homes for retired clergy and church workers etc.), after subsection (1) insert—

“(1A) A power under subsection (1) to provide, maintain and manage a home includes, and is to be treated as having always included, a power to provide nursing care for persons resident in that home.”

- (2) In subsection (2) of that section, for “the last foregoing subsection” substitute “subsection (1)”.

Commencement Information

- I4** Sch. para. 4 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

- 5 In section 32A (investment of moneys comprised in certain funds), for subsection (4) substitute—

“(4) The funds to which this section applies are—
 (a) the funds which the Board administer, and
 (b) the funds of which the Board are trustee.”

Commencement Information

- I5** Sch. para. 5 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

- 6 In section 34 (valuation of pension funds etc.), after subsection (4) insert—

“(5) The requirement imposed by subsection (4) shall cease to apply if the power under section 18A(1) is exercised.”

Commencement Information

- I6** Sch. para. 6 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

- 7 (1) In section 38 (determination by Pensions Board of questions relating to pensions etc.), in subsection (1), omit “at a meeting specially convened for that purpose”.

(2) Omit subsection (3) of that section (appeal to High Court).

(3) Omit subsection (4) of that section (disapplication of Arbitration Act).

Commencement Information

- I7** Sch. para. 7 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

- 8 In section 46(1) (interpretation), for the definition of “child” substitute—

““child”, in relation to a person, includes—
 (a) a step-child or adopted child of that person, and

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(b) a child of that person's civil partner;”.

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Commencement Information

18 Sch. para. 8 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

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