



# Church of England Pensions Measure 2018

2018 No. 9

## PART 4

### GENERAL FINANCIAL PROVISIONS

#### *Other schemes and funds*

#### **37 General Purposes Fund**

- (1) The Board must continue to administer the General Purposes Fund established by resolution of the Board on 17 September 1975.
- (2) The Board must pay into the General Purposes Fund testamentary or other gifts made to it for any of the following purposes—
  - (a) the relief of poverty in the case of a retired clerk or church worker;
  - (b) the relief of poverty in the case of a surviving or former spouse or civil partner or a child or dependant of a deceased clerk or church worker;
  - (c) the provision, maintenance or management of homes of residence for, or the making of loans under section 43 to, retired clerks and church workers and their current or former spouses or civil partners;
  - (d) the provision, maintenance or management of homes of residence for, or the making of loans under section 43 to, the surviving or former spouses or civil partners and the children and dependants of deceased clerks or church workers.
- (3) The Board may, subject to any conditions imposed by the testators or donors in question, apply the General Purposes Fund or any part of it for any of the purposes set out in subsection (2).
- (4) The Board may borrow money on the security of the assets of the General Purposes Fund in order to pay for expenditure incurred for any of the purposes set out in

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*Changes to legislation:* There are currently no known outstanding effects for the Church of England Pensions Measure 2018, Cross Heading: Other schemes and funds. (See end of Document for details)

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subsection (2); and for this purpose the assets of the Fund include homes of residence vested in the Board and certified on its behalf to be maintained out of the Fund to a material extent.

- (5) Any sum purporting to be donated by way of a testamentary or other gift to the Clergy Pensions Augmentation Fund, the Clergy (Widows and Dependants) Pensions Augmentation Fund or the Church Workers Pensions Augmentation Fund is to be treated as donated to the General Purposes Fund.

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**Commencement Information**

- II** S. 37 in force at 1.3.2019 by S.I. 2019/98, art. 2

**<sup>F1</sup>38 Clergy (Widows and Dependants) Pensions Fund**

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**Textual Amendments**

- F1** S. 38 repealed (14.5.2021) by The Legislative Reform (Church of England Pensions) Order 2021 (S.I. 2021/554), arts. 1(3), 4(1)

**39 Schemes for church workers**

- (1) The Board may establish, administer or participate with others in the administration of—
- (a) pension schemes for the benefit of church workers;
  - (b) pension schemes for the benefit of surviving spouses or civil partners and children and dependants of deceased church workers.
- (2) The Board must continue to administer or to participate with others in the administration of any pension scheme established or administered under section 27 of the Clergy Pensions Measure 1961 and continuing to have effect under section 1 of this Measure; and the scheme is to be treated as if it had been established under this section.
- (3) A deaconess [<sup>F2</sup>, licensed lay worker or lay residentiary canon] who is performing or has performed pensionable service is not eligible to join a scheme established or administered under this section, unless the Board gives him or her permission to do so.
- (4) The Board may give a clerk permission to join a scheme established or administered under this section.
- (5) A person who is a member of a scheme established or administered under this section is disqualified from continued membership of the scheme if the service performed by that person becomes pensionable service.
- (6) In section 17 of the Church Commissioners Measure 1947 (superannuation), at the end insert—
- “(4) The Commissioners may, until 31 December 2025, apply capital funds for meeting the cost of any pension or lump sum payable under the Church

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Commissioners Superannuation Scheme in so far as it is attributable to a period of service before 1 January 1998.

(5) In subsection (4), “capital funds” means funds held by the Commissioners the income of which forms part of their general fund.”

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**Textual Amendments**

**F2** Words in s. 39(3) substituted (coming into force in accordance with s. 22(3) of the amending Measure) by Church of England (Miscellaneous Provisions) Measure 2024 (No. 1), **Sch. 1 para. 11(d)**

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**Commencement Information**

**I2** S. 39 in force at 1.3.2019 by S.I. 2019/98, **art. 2**

#### **40 Additional pension scheme for clerks**

- (1) The Board may establish, administer or participate with others in the administration of an additional pension scheme for the benefit of clerks and their surviving spouses or civil partners and their children and dependants.
- (2) A scheme established under this section is supplementary to the past service scheme and the funded scheme; and nothing in a scheme so established is to be taken as affecting any provision of either of those schemes.
- (3) Where a scheme is established under this section, the Church Commissioners may make payments from their general fund of whatever amounts are required by the scheme to be paid by a clerk's employer.

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**Commencement Information**

**I3** S. 40 in force at 1.3.2019 by S.I. 2019/98, **art. 2**

**Changes to legislation:**

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