



# Church of England Pensions Measure 2018

2018 No. 9

## PART 3

### THE PAST SERVICE SCHEME

#### *Pensions for scheme members*

#### **16 Payment of pension and lump sum**

- (1) Where a member of the past service scheme was receiving a pension under the scheme immediately before the commencement of this section, the pension continues to be payable for the rest of the member's life.
- (2) Where a member of the past service scheme becomes entitled after the commencement of this section to receive a pension under the scheme, the pension—
  - (a) becomes payable when the member retires, and
  - (b) continues to be payable for the rest of the member's life.
- (3) Where a member of the past service scheme becomes entitled after the commencement of this section to receive a lump sum payment, it is payable when the member retires.
- (4) The rate of a member's pension under the past service scheme and the amount of the lump sum payment to which a member is entitled are determined in accordance with Schedule 2.
- (5) A member of the past service scheme who—
  - (a) ceases, or has already ceased, to perform pensionable service before reaching the retiring age and without receiving a pension under the scheme, and
  - (b) after ceasing to perform pensionable service but before reaching the retiring age, satisfies the Board that he or she has become incapable through infirmity of performing pensionable service,

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*Changes to legislation: There are currently no known outstanding effects for the Church of England Pensions Measure 2018, Section 16. (See end of Document for details)*

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is to be treated for the purposes of this Part as retiring on the date on which the Board becomes so satisfied.

- (6) A member of the past service scheme who—
- (a) ceases, or has already ceased, to perform pensionable service before reaching the retiring age, and
  - (b) on the date of reaching the retiring age, is neither performing pensionable service nor receiving a pension under the scheme,

is to be treated for the purposes of this Part as retiring on the date on which he or she reaches the retiring age.

- (7) A member of the past service scheme who has been deposed from Holy Orders or who has executed a deed of relinquishment under the Clerical Disabilities Act 1870 is to be treated for the purposes of this Part as retiring—
- (a) if he or she had reached the retiring age by the date of the deposition or on which the deed was recorded in the diocesan registry under section 4 or 5 of that Act, on that date;
  - (b) if he or she had not reached the retiring age by that date, on the date when he or she does reach the retiring age.

- (8) Accordingly, in the case of a member of the past service scheme who comes within subsection (5), (6) or (7), a reference in this Part to the member's retirement is to be interpreted in accordance with that subsection.

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**Commencement Information**

**II** S. 16 in force at 1.3.2019 by S.I. 2019/98, art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Church of England Pensions Measure 2018, Section 16.