



# Church of England Pensions Measure 2018

2018 No. 9

## PART 1

### INTRODUCTION

#### *Pensionable service*

#### **5 Service to be treated as pensionable service**

- (1) The Board may make an agreement with a clerk, deaconess [<sup>F1</sup>, licensed lay worker or lay residentiary canon], or with the employer of a clerk, deaconess or licensed lay worker, for relevant service to be treated as pensionable service.
- (2) “Relevant service”, in relation to a clerk, deaconess [<sup>F2</sup>, licensed lay worker or lay residentiary canon], means service—
  - (a) which he or she performs in that capacity or otherwise in furtherance of the spiritual or administrative work of the Church of England, but
  - (b) which is not stipendiary ecclesiastical service, and
  - (c) which is not service in respect of which he or she is a member of a pension scheme other than an approved scheme.
- (3) The reference in subsection (1) to relevant service includes a reference to service outside (as well as service in) the area to which this Measure applies.
- (4) An agreement under subsection (1) may include a requirement for the clerk, deaconess [<sup>F3</sup>, licensed lay worker or lay residentiary canon], or his or her employer, to pay the Church Commissioners such sums of money as the Board may determine, having regard to—
  - (a) the nature of the service performed, and
  - (b) the cost of treating the relevant service concerned as 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 5. (See end of Document for details)*

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- (5) Where a clerk, deaconess [<sup>F3</sup>, licensed lay worker or lay residentiary canon] ceases to be a member of a pension scheme other than the past service scheme or an approved scheme without becoming entitled to retirement benefits under it, the Board may make an agreement with him or her for the service in respect of which he or she was a member of the scheme to be treated as pensionable service.
- (6) An agreement under subsection (5) may include a requirement for the clerk, deaconess [<sup>F3</sup>, licensed lay worker or lay residentiary canon] to pay the Church Commissioners such sums of money as the Board may determine.
- (7) An agreement made under regulation 5 of the Church of England Pensions Regulations 1988 and in force immediately before the commencement of this section continues in force and is to be treated as if it had been made under this section.

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#### **Textual Amendments**

- F1** Words in s. 5(1) 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(a)**
- F2** Words in s. 5(2) 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(a)**
- F3** Words in s. 5(4)-(6) 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(a)**
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#### **Commencement Information**

- I1** S. 5 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 5.