
STATUTORY INSTRUMENTS

2005 No. 3325

**The Civil Partnership (Judicial Pensions
and Church Pensions, etc.) Order 2005**

PART 8

Amendments of Church Measures

Church Property (Miscellaneous Provisions) Measure 1960

78. The Church Property (Miscellaneous Provisions) Measure 1960(1) is amended as follows.

79. In section 20 (provisions as to pensions of Church Estates Commissioners), in subsection (2A)—

- (a) after “widower” insert “or surviving civil partner”, and
- (b) after “spouse” insert “or civil partner”.

Clergy Pensions Measure 1961

80. The Clergy Pensions Measure 1961(2) is amended as follows.

81.—(1) In section 17 (payments out of general fund of Commissioners), in subsection (3), after “widowers” insert “, surviving civil partners”.

(2) In section 26 (powers of Board as to provision of residences)—

- (a) in subsection (1)(a), after “former spouses” insert “and civil partners or former civil partners”,
- (b) in subsection (1)(b), after “spouses” insert “, surviving civil partners, former civil partners”,
- (c) in subsection (3A)(b), after “spouse” insert “or surviving civil partner or former civil partner”, and
- (d) in subsection (3A), in the words following paragraph (b), after “former spouse” insert “or civil partner or former civil partner”.

(3) In section 27 (powers of Board to administer pensions schemes for church workers), in subsection (1), for “widows widowers” substitute “widows, widowers, surviving civil partners”.

(4) In section 30 (power of Board to act as Trustee), in subsections (1) and (2), for “widows widowers”, in each place, substitute “widows, widowers, surviving civil partners”.

(1) 1960 8 & 9 Eliz 2 No. 1; section 20(2A) was substituted by the [Church of England \(Miscellaneous Provisions\) Measure 2005 \(2005 No. 3\)](#), section 5(4).

(2) 1961 9 & 10 Eliz 2 No. 3; sections 17(3) and 26 were amended by the [Clergy Pensions \(Amendment\) Measure 1982 \(1982 No. 2\)](#), sections 1 and 2; further amendments were made to these sections and to sections 27(1), 30, 38(1) and 40 by the [Church of England \(Pensions\) Measure 1988 \(1988 No. 4\)](#), sections 11 to 13 and Schedule 2, Part 1, paragraphs 12, 16 and 17; section 38A was inserted by [S.I. 1988/2239](#); section 26 was further amended by the [Church of England \(Pensions\) Measure 2003 \(2003 No.2\)](#), section 3.

(5) In section 38 (determination of questions), in subsection (1)(g), after “widower” insert “, surviving civil partner.”

(6) In section 38A (power of Board to establish additional pensions schemes for clerks), in subsection (1), after “widowers” insert “, surviving civil partners”.

(7) In section 40 (diocesan widows and dependants committees), for “widows widowers”, in each place, substitute “widows, widowers, surviving civil partners”.

Clergy Pensions (Amendment) Measure 1972

82. The Clergy Pensions (Amendment) Measure 1972(3) is amended as follows.

83. In section 6 (power of General Synod to make further provision by regulations for clergy pensions)—

- (a) in subsection (1)(b), after “widowers” insert “, surviving civil partners”,
- (b) in subsection (1)(c), after “spouses” insert “or civil partners”,
- (c) in subsection (1)(d), after “widowers” insert “, surviving civil partners”, and
- (d) in subsection (2), after “widowers” insert “, surviving civil partners”.

Deaconesses and Lay Workers (Pensions) Measure 1980

84. The Deaconesses and Lay Workers (Pensions) Measure 1980(4) is amended as follows.

85. In section 1 (power of Church Commissioners to make payments for provision, etc of pension benefits for deaconesses and lay workers), in subsection (1)(a), after “widowers” insert “or surviving civil partners”.

Pastoral Measure 1983

86. The Pastoral Measure 1983(5) is amended as follows.

87. In Schedule 4 (compensation of clergy), in paragraph 13(1)(c) and (3), after “spouse”, in each place, insert “or surviving civil partner”.

Pensions Measure 1997

88. The Pensions Measure 1997(6) is amended as follows.

89. In section 1 (past service and funded schemes), in subsection (1), after “widowers” insert “, surviving civil partners”.

Church of England (Pensions) Measure 2003

90. The Church of England (Pensions) Measure 2003(7) is amended as follows.

91.—(1) In section 1 (General Purposes Fund), in subsection (2)—

- (a) in paragraph (b), after “spouse,” insert “surviving civil partner or former civil partner,”,

(3) 1972 No. 5; section 6 was amended by the [Church of England \(Pensions\) Measure 1988 \(1988 No. 4\)](#), section 16 and the [Pensions Measure 1997 \(1997 No. 1\)](#), section 10(1), Schedule 1, Part 1, paragraphs 15 and 17(b).

(4) 1980 No. 1; section 1 was amended by the [Church of England \(Pensions\) Measure 1988 \(1988 No. 4\)](#), Schedule 2, Part 2, paragraph 23 and the [Pensions Measure 1997 \(1997 No. 1\)](#), Schedule 1, Part 1, paragraph 18(a).

(5) 1983 No. 1; paragraph 13 of Schedule 4 was amended by the [Priests \(Ordination of Women\) Measure 1993 \(1993 No. 2\)](#), Schedule 3, paragraph 8.

(6) 1997 No. 1.

(7) 2003 No. 2.

- (b) in paragraph (c), after “former spouses” insert “or civil partners or former civil partners”, and
 - (c) in paragraph (d), after “spouses” insert “, surviving civil partners, former civil partners”.
- (2) In section 2 (dissolution of Pensions Augmentation Fund), in subsection (3), after “spouse” insert “, surviving civil partner, former civil partner”.