SCHEDULE 3   Article 4

Consequential amendments to Church of England legislation

Church Property (Miscellaneous Provisions) Measure 1960

1. In the Church Property (Miscellaneous Provisions) Measure 1960(**1**), in section 20 (provisions as to pensions of Church Estates Commissioners), in subsection (2A), after "widower" insert "(whether or not of the same or the opposite sex to the deceased),".

Clergy Pensions Measure 1961

2. In section 46 of the Clergy Pensions Measure 1961(**2**) (interpretation) after subsection (1) insert—

> "(1A) In this Measure, references to a "widow", "widower", "spouse" or "surviving spouse" include a person who is or was married to someone of the same sex."

Clergy Pensions (Amendment) Measure 1972

3. In section 6 of the Clergy Pensions (Amendment) Measure 1972(**3**) (power of the General Synod to make further provision by regulations with respect to pensions for clergy and their widows and dependants), after subsection (5) insert—

> "(6) In this section "widow", "widower" and "spouse" include a person who is or was married to someone of the same sex.".

Deaconesses and Lay Workers (Pensions) Measure 1980

4. In section 1 of the Deaconesses and Lay Workers (Pensions) Measure 1980(**4**) (power of Church Commissioners to make payment for provision, etc of pension benefits for deaconesses and lay workers), in subsection (1)(a), after "widowers" insert "(whether of the same or opposite sex),".

Church of England Pensions Regulations 1988

5. In the Church of England Pensions Regulations 1988, in regulation 2(1)(**5**) (interpretation)—

(a) after the definition of "scheme member" insert—

> ""spouse" and "surviving spouse" include a person who is or was married to a person of the same sex;", and

(b) in the definition of "widow or widower", in paragraph (a) after "person" insert "(whether of the same or opposite sex to the deceased)".

(**1**) 1960 No. 1. Subsection (2A) was originally inserted by the Church Commissioners Measure 1964 No. 8 and was substituted by the Church of England (Miscellaneous Provisions) Measure 2005 No. 3 and amended by S.I. 2005/3325. There are other amendments to section 20 not relevant to this Order.

(**2**) 1961 No. 3. Section 46 was amended by the Deacons (Ordination of Women) Measure 1986 No. 4, the Church of England (Pensions) Measure 1988 No. 4, S.I. 1988/2256, the Pensions Measure 1997 No. 1 and the Church of England (Miscellaneous Provisions) Measure 2014 No. 1.

(**3**) 1972 No. 5. Section 6 was amended by the Church of England (Pensions) Measure 1988 No. 4, the Church of England (Miscellaneous Provisions) Measure 1995 No. 2, the Pensions Measure 1997 No. 1, S.I. 1998/1715 and S.I. 2005/3325.

(**4**) 1980 No. 1. Section 1 was amended by the Church of England (Pensions) Measure 1988 No. 4, the Pensions Measure 1997 No. 1 and S.I. 2005/3325.

(**5**) S.I. 1988/2256. Regulation 2 was amended by the Pensions Measure 1997 No. 1, by S.I. 1997/1929, by S.I. 2010/1922 and the Church of England (Miscellaneous Provisions) Measure 2014 No. 1.

Pensions Measure 1997

6. In section 1 of the Pensions Measure 1997(**6**) (past service and funded schemes), in subsection (1), after "widowers" insert "(whether of the same or the opposite sex to the deceased)".

Church of England (Pensions) Measure 2003

7. In section 7 of the Church of England (Pensions) Measure 2003(**7**) (citation, interpretation, commencement and extent) after subsection (3) insert—

> "(3A) In this Measure "widow", "widower" and "spouse" include a person who is or was married to someone of the same sex.".

Mission and Pastoral Measure 2011

8. In Schedule 4 to the Mission and Pastoral Measure 2011(**8**) (compensation of clergy), after paragraph 11(3) insert—

> "(3A) For the purposes of sub-paragraph (3), it does not matter if a surviving spouse is of the same or opposite sex to the deceased.".

(**6**)   1997 No. 1. Section 1 was amended by S.I. 2005/3325.

(**7**)   2003 No. 2.

(**8**)   2011 No. 3. Schedule 4 was amended by S.I. 2012/992 and Church of England (Miscellaneous Provisions) Measure 2014 No. 1.