

*Status: Point in time view as at 13/06/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Pensions (Pre-consolidation) Measure 2018 (repealed), Cross Heading: Church of England Pensions Regulations 1988 (S.I. 1988/2256). (See end of Document for details)*

## SCHEDULE

### PRE-CONSOLIDATION AMENDMENTS

#### *Church of England Pensions Regulations 1988 (S.I. 1988/2256)*

10 The Church of England Pensions Regulations 1988 are amended as follows.

#### **Commencement Information**

**11** Sch. para. 10 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

- 11 (1) In Part 2 (pensions for scheme members), omit regulation 11 (application for pension).
- (2) In regulation 21 (commencement of scheme in case of early retirement because of infirmity), in paragraph (2), omit the words from “; and the making” to the end.

#### **Commencement Information**

**12** Sch. para. 11 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

- 12 (1) In Part 3 (pensions for widows and children etc.), in regulation 18 (power of Pensions Board to commute pension for capital sum), in paragraph (1), for the words from the beginning to “the actuarial equivalent thereof” substitute “ The Board shall, subject to paragraphs (1A) and (2), have power to commute a pension payable under the preceding provisions of this Part for such capital sum as is estimated to be the actuarial equivalent of the aggregate pension so payable ”.
- (2) After paragraph (1) of that regulation insert—
- “(1A) The Board shall exercise the power under paragraph (1) only if payment of a lump sum of an amount equivalent to the capital sum in question—
- (a) would be authorised for the purposes of Part 4 of the Finance Act 2004, and
- (b) would satisfy requirements imposed by or under Part 3 of the Pension Schemes Act 1993.”
- (3) Omit paragraph (3) of that regulation (requirement for Board to obtain consent in case where pension exceeds £50 per annum).

#### **Commencement Information**

**13** Sch. para. 12 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

- 13 In Part 5 (reciprocal arrangements), in regulation 23 (arrangements with other Churches), in paragraph (3), for “the Archbishop of Canterbury” substitute “ the Archbishops of Canterbury and York acting jointly ”.

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**Commencement Information**

- I4** Sch. para. 13 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

- 14 In Part 6 (general provisions), in regulation 29 (payment of pensions), in paragraph (1)—
- (a) for the words from “quarterly instalments” to “in each year” substitute “monthly instalments in arrears”, and
  - (b) for “quarter” substitute “month”.

**Commencement Information**

- I5** Sch. para. 14 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

- 15 In that Part, in regulation 30 (persons lacking mental capacity to manage property etc.), omit paragraphs (2) and (3) (notices to and from Court of Protection).

**Commencement Information**

- I6** Sch. para. 15 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

- 16 (1) In that Part, in regulation 32 (determination by Pensions Board of questions relating to pensions), in paragraph (1), omit “at a meeting specially convened for that purpose”.
- (2) Omit paragraph (3) of that regulation (appeal to High Court).
- (3) Omit paragraph (4) of that regulation (disapplication of Arbitration Act).

**Commencement Information**

- I7** Sch. para. 16 in force immediately before the commencement of the Consolidation Measure by virtue of S.I. 2018/716, reg. 2

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