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

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## SCHEDULES

### SCHEDULE 1

Section 2

#### THE CHURCH OF ENGLAND PENSIONS BOARD

#### PART 1

#### MEMBERSHIP

##### *Members*

- [<sup>F1</sup>1] (1) The Board has 12 members, including the chair.
- (2) The chair is appointed by the Archbishops of Canterbury and York, with the approval of the General Synod.
- (3) Four members are elected as follows—
- (a) two are elected by and from the members of the funded scheme and the members of the past service scheme (who for this purpose constitute a single electorate), with at least one of them being a member of the House of Clergy,
  - (b) one is elected by and from the members of the workers' fund, and
  - (c) one is elected by and from the members of the administrators' fund.
- (4) One member is elected by the employers who participate in the workers' fund or the administrators' fund.
- (5) One member is appointed by the Archbishops of Canterbury and York after consulting the Church Commissioners and consulting persons who—
- (a) are officers or members of a diocesan board of finance or are members of the House of Clergy or the House of Laity elected for a diocese, and
  - (b) are chosen under arrangements approved by the Archbishops of Canterbury and York to represent dioceses in consultations on financial matters.
- (6) One member is appointed by the Archbishops of Canterbury and York after consulting the Chair of the House of Laity and the chair of the Appointments Committee of the Church of England.
- (7) One member is appointed by the Archbishops of Canterbury and York after consulting the Prolocutors of the Convocations of Canterbury and York and the chair of the Appointments Committee of the Church of England.
- (8) Three members are appointed by the Archbishops of Canterbury and York, each of them having professional expertise which, in the opinion of the Archbishops, is relevant to membership of the Board.
- (9) A person is eligible to be a candidate for election under sub-paragraph (3) only if two members of the Board appointed by the chair, and the chair of the Appointments

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Committee of the Church of England or a person nominated by the chair of that Committee, have decided that the person has the required skills and experience.

- (10) The three persons making a decision under sub-paragraph (9) must, in doing so—
- (a) prepare a statement specifying the skills and experience which, in the opinion of those three persons, are required for holding the office in question,
  - (b) invite (in whatever form and manner those three persons consider appropriate) written applications to the Board explaining how the applicant meets the requirements specified in the statement, and
  - (c) assess each application by reference to the statement.
- (11) The provisions of the Standing Orders of the General Synod relating to elections apply to elections to the Board, with such modifications as are necessary.
- (12) The functions of the Archbishop of Canterbury and York under this paragraph are exercisable by them jointly; and the functions under this paragraph of the three persons making a decision under sub-paragraph (9) are exercisable by them jointly.]

#### Textual Amendments

- F1** Sch. 1 para. 1 substituted (1.7.2021) by [The Legislative Reform \(Church of England Pensions\) Order 2021 \(S.I. 2021/554\)](#), arts. 1(2), **2(1)** (with art. 7)

#### *Terms of office*

- 2 [F2(1) The chair and other members of the Board each hold office for a term of such duration as the General Synod decides; but the term must not exceed five years.
- (2) A person may not hold office as a member of the Board—
- (a) for a period exceeding ten years, or
  - (b) for periods which, taken together, exceed ten years.]
- (3) If a member of the Board ceases to hold a qualification by virtue of which he or she became a member, he or she ceases to be a member on ceasing to hold the qualification F3 ....
- F4(4) .....
- F5(5) .....
- (6) A person is disqualified from being a member of the Board if there is a prohibition order or suspension order in force against him or her under section 3 or 4 of the Pensions Act 1995.
- (7) A person is disqualified from membership of the Board if—
- (a) the person is disqualified from being a trustee of a trust scheme under section 29 of the Pensions Act 1995, and
  - (b) the disqualification is not subject to a general waiver under subsection (5) of that section.
- (8) If a member of the Board becomes disqualified under sub-paragraph (6) or (7), he or she ceases to be a member on becoming so disqualified.

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

#### Textual Amendments

- F2** Sch. 1 para. 2(1)(2) substituted (1.7.2021) by [The Legislative Reform \(Church of England Pensions\) Order 2021 \(S.I. 2021/554\)](#), arts. 1(2), **3(1)** (with art. 7)
- F3** Words in Sch. 1 para. 2(3) omitted (1.7.2021) by virtue of [The Legislative Reform \(Church of England Pensions\) Order 2021 \(S.I. 2021/554\)](#), arts. 1(2), **3(2)** (with art. 7)
- F4** Sch. 1 para. 2(4) omitted (1.7.2021) by virtue of [The Legislative Reform \(Church of England Pensions\) Order 2021 \(S.I. 2021/554\)](#), arts. 1(2), **3(3)** (with art. 7)
- F5** Sch. 1 para. 2(5) omitted (1.7.2021) by virtue of [The Legislative Reform \(Church of England Pensions\) Order 2021 \(S.I. 2021/554\)](#), arts. 1(2), **3(3)** (with art. 7)

#### Commencement Information

- I1** Sch. 1 para. 2 in force at 1.3.2019 by [S.I. 2019/98](#), art. 2

#### *Casual vacancies*

- 3 (1) A casual vacancy in the office of chair or of any other member of the Board must be filled within six months of its occurrence.
- (2) But if, in the case of a member other than the chair, the unexpired part of the term of office does not exceed 12 months, the vacancy is not to be filled unless the Appointments Committee of the Church of England so directs.
- (3) A casual vacancy in the office of a member is to be filled in the same manner as that in which the person whose place is being filled was elected or appointed.
- (4) A person appointed or elected to fill a casual vacancy holds office only for the unexpired portion of the term of office of the person whose place is being filled.

#### Commencement Information

- I2** Sch. 1 para. 3 in force at 1.3.2019 by [S.I. 2019/98](#), art. 2

#### *Casual vacancies: special provision for persons retiring at the end of 2019 or 2021*

- 4 (1) The provision made by paragraphs 1(4) and (8) and 2(3) and (4) does not affect the term of office of a person who, immediately before the commencement of this Schedule, was serving as a member of the Board—
- (a) having been elected under the Church of England Pensions Regulations 1997 before 1 July 2017, or
- (b) having filled a casual vacancy under paragraph 3(3), (4) or (5) of the Church of England Pensions (Amendment) Regulations 2017.
- (2) The vacancies which arise on the retirement of two of those members at the end of 2019 are to be filled by two appointed persons.
- (3) The vacancies which arise on the retirement of two of those members at the end of 2021 are to be filled by one elected person and one appointed person.
- (4) If a casual vacancy arises in the case of either of the members retiring at the end of 2019, the vacancy in each case is to be filled by an appointed person.

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

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- (5) If a casual vacancy arises in the case of either of the members retiring at the end of 2021—
  - (a) the first vacancy to arise is to be filled by an appointed person and the second vacancy by an elected person, or
  - (b) if both vacancies arise at the same time, they are to be filled by an appointed person and an elected person.
- (6) If a casual vacancy arises in the case of a person who was filling a casual vacancy under sub-paragraph (4) or (5) or under this sub-paragraph, the vacancy is to be filled either by an elected person or by an appointed person, depending on whether the person whose place is being filled was elected or appointed; and sub-paragraphs (2) to (5) accordingly apply to the person filling the vacancy as they did to the person whose place is being filled.
- (7) This paragraph does not affect the application of paragraph 3.
- (8) A reference in this paragraph to an elected person is a reference to a person elected by and from the House of Laity.
- (9) A reference in this paragraph to an appointed person is a reference to a person appointed by the Archbishops of Canterbury and York acting jointly, after consultation with the Chairman of the House of Laity and the Chair of the Appointments Committee of the Church of England.

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**Commencement Information**

**I3**    [Sch. 1 para. 4](#) in force at 1.3.2019 by [S.I. 2019/98](#), [art. 2](#)

## PART 2

### FUNCTIONS, PRACTICE AND PROCEDURE

#### *Incidental powers*

- 5    (1) The Board may do anything it thinks necessary or appropriate for the purpose of, or in connection with, the exercise of its functions.
- (2) A provision of this Measure which specifies things which the Board may do for the purpose of, or in connection with, the exercise of a function conferred by that provision does not affect the generality of sub-paragraph (1).

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**Commencement Information**

**I4**    [Sch. 1 para. 5](#) in force at 1.3.2019 by [S.I. 2019/98](#), [art. 2](#)

#### *Staff*

- 6    (1) The Board may determine the duties and remuneration of its staff.
- (2) The Board must pay from the funds it administers—
  - (a) the salaries or other remuneration of its staff, and

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- (b) the working expenses of the Board.

**Commencement Information**

**I5** Sch. 1 para. 6 in force at 1.3.2019 by S.I. 2019/98, art. 2

*Committees*

- 7 (1) A committee appointed by the Board may include persons who are not members of the Board.
- (2) A reference in this Part of this Schedule to a committee is to a committee appointed by the Board.

**Commencement Information**

**I6** Sch. 1 para. 7 in force at 1.3.2019 by S.I. 2019/98, art. 2

*Procedure*

- 8 [F6(1) The quorum of the Board is four; and the quorum must include at least one member elected under paragraph 1(3) (representatives of pension schemes).]
- (2) The validity of anything done by the Board is not affected by a vacancy among its members or by a defect in the appointment of a member.
- (3) The Board may make standing orders regulating its procedure, subject to subparagraphs (1) and (2) and paragraph 7; and a reference in a subsequent provision of this Schedule to standing orders is to those so made.

**Textual Amendments**

**F6** Sch. 1 para. 8(1) substituted (1.7.2021) by The Legislative Reform (Church of England Pensions) Order 2021 (S.I. 2021/554), arts. 1(2), 2(3) (with art. 7)

**Commencement Information**

**I7** Sch. 1 para. 8 in force at 1.3.2019 by S.I. 2019/98, art. 2

*Delegation of functions*

- 9 (1) The Board may delegate the exercise of any of its functions to a committee.
- (2) The Board or a committee may, in accordance with such provision as standing orders may make, delegate the exercise of any of its functions to an officer.

**Commencement Information**

**I8** Sch. 1 para. 9 in force at 1.3.2019 by S.I. 2019/98, art. 2

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### *Conduct of business*

- 10 (1) If the chair of the Board or of a committee considers that it has business which can properly be conducted by correspondence, the chair may instruct the secretary to circulate to the members written proposals requiring their approval.
- (2) Unless objections are received from members in such numbers and within such period as standing orders may specify, proposals circulated under sub-paragraph (1) are to be treated on the expiry of that period as if they had been approved by the Board or the committee concerned at a duly convened meeting.

#### **Commencement Information**

**I9** [Sch. 1 para. 10](#) in force at 1.3.2019 by [S.I. 2019/98](#), [art. 2](#)

### *Seal and evidence*

- 11 (1) The application of the Board's seal must be authenticated by the signature of the secretary or of another officer authorised by the Board (whether generally or specifically) for that purpose.
- (2) A document purporting to be duly executed under the Board's seal is to be received in evidence and, unless the contrary is proved, taken to be so executed.
- (3) A document which is signed by two members of the Board and expressed (in whatever form of words) to be executed by the Board has the same effect as if executed under its seal.
- (4) A document which is signed by two officers or members of staff of the Board authorised by the Board for that purpose, and which is expressed (in whatever form of words) to be signed on behalf of the Board, has the same effect as if executed under its seal.
- (5) An authorisation under sub-paragraph (4) has effect subject to such limitations or conditions as it may specify.
- (6) A document executed by the Board which makes clear on its face that it is intended to be a deed has effect on delivery as a deed and is to be taken, unless a contrary intention is proved, to be delivered on being so executed.
- (7) In favour of a person who in good faith acquires an interest in property for valuable consideration, a document is taken to be duly executed by the Board if it purports to be signed in accordance with sub-paragraph (3) or (4).

#### **Commencement Information**

**I10** [Sch. 1 para. 11](#) in force at 1.3.2019 by [S.I. 2019/98](#), [art. 2](#)

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## SCHEDULE 2

Section 16(4)

### PAST SERVICE SCHEME: PENSIONS AND LUMP SUM PAYMENTS

#### PART 1

##### RETIREMENT AT OR ABOVE RETIRING AGE

###### *Introduction*

- 1 This Part of this Schedule applies in the case of a member of the past service scheme who—
- (a) retired before the commencement of this Schedule (whether or not before 1 January 1998) and on or after reaching the retiring age, or
  - (b) retires after that commencement on or after reaching that age.

###### **Commencement Information**

**III** Sch. 2 para. 1 in force at 1.3.2019 by S.I. 2019/98, art. 2

###### *Service of 37 years or more*

- 2 (1) This paragraph applies where the member's qualifying period of pensionable service to which the past service scheme applies is at least 37 years of whole-time service.
- (2) If the member has not at any time in that period held the office of archbishop, diocesan bishop, suffragan bishop, dean, provost or archdeacon, the rate of pension is the full basic pension.
- (3) If the member has at any time in that period held an office referred to in sub-paragraph (2), the rate of pension is calculated by multiplying the full basic pension by the multiple in the following Table that is applicable to that office—

<i>Office</i>	<i>Multiple</i>
Archbishop	2
Bishop of London	1.8
Diocesan bishop (other than the Bishop of London)	1.5
Suffragan bishop, dean, provost or archdeacon	1.25

- (4) If the member has held more than one of those offices, the multiple to be used in the calculation under sub-paragraph (3) is the higher or highest applicable to the offices which he or she has held.
- (5) The amount of the lump sum payment, where the member becomes entitled to it after the commencement of this Schedule, is three times the full basic pension.
- (6) “Full basic pension” means two-thirds of the national minimum stipend for the year preceding that in which payment of the pension begins.

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- (7) The “national minimum stipend” for a year is the amount which the Archbishops' Council specifies in its annual report as the amount which it recommends as the national minimum for that year for the stipends of clergy of incumbent status.
- (8) The references in this paragraph to the office of dean do not include a reference to the office of dean of the cathedral church of the diocese of Sodor and Man.

#### **Commencement Information**

**I12** [Sch. 2 para. 2](#) in force at 1.3.2019 by [S.I. 2019/98](#), [art. 2](#)

#### *Whole-time service of under 37 years*

- 3 (1) This paragraph applies where the member's qualifying period of pensionable service to which the past service scheme applies is less than 37 years of whole-time service.
- (2) The rate of the pension for that period of service is calculated as follows.
- (3) The first step is to divide by 37 the rate of pension to which the member would be entitled if the qualifying period of pensionable service were 37 years of whole-time service.
- (4) The second step is to multiply the number obtained under sub-paragraph (3) by the number of complete years in the period of whole-time service.
- (5) The third step, which must be taken if the period of whole-time service includes part of a year, is—
  - (a) to divide by 12 the number obtained under sub-paragraph (3),
  - (b) to multiply the number obtained under paragraph (a) by the number of complete months in that part of the year, and
  - (c) to add the number obtained under paragraph (b) to the number obtained under sub-paragraph (4).
- (6) The amount of the lump sum payment is that which bears the same proportion to three times the full basic pension as the pension to which the member is entitled on retirement for the whole-time service bears to that to which the member would have been entitled if he or she had retired on reaching the retiring age with a qualifying period of service of 37 years of whole-time service.

#### **Commencement Information**

**I13** [Sch. 2 para. 3](#) in force at 1.3.2019 by [S.I. 2019/98](#), [art. 2](#)

#### *Part-time service after 1 January 1987*

- 4 (1) This paragraph applies where the member's qualifying period of pensionable service to which the past service scheme applies consists of or includes part-time service performed after 1 January 1987.
- (2) In a case where the pension for that part-time service became payable before the commencement of this Schedule, the rate of pension continues to be the rate which



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the Board had determined under paragraph 4 of Schedule 1 to the Church of England Pensions Regulations 1998.

- (3) In a case where the pension for that part-time service becomes payable after the commencement of this Schedule, the rate of pension is calculated by multiplying the rate which would have been payable if the service had been whole-time service by such proportion as the Board determines.
- (4) When making a determination under sub-paragraph (3), the Board must act in accordance with the general directions of the Church Commissioners.
- (5) The amount of the lump sum payment is the amount which bears the same proportion to three times the full basic pension as the pension to which the member is entitled on retirement for the part-time service bears to that to which the member would have been entitled if he or she had retired on reaching the retiring age with a qualifying period of service of 37 years of whole-time service.
- (6) The qualifying period of pensionable service in a case where the pension for the part-time service becomes payable after the commencement of this Schedule does not include a year, or part of a year, in which the amount received by the member in respect of stipendiary ecclesiastical service is less than such amount as the Board determines with the agreement of the Church Commissioners.

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**Commencement Information**

**I14** Sch. 2 para. 4 in force at 1.3.2019 by S.I. 2019/98, art. 2

## PART 2

### EARLY RETIREMENT IN CASES OF INFIRMITY

#### *Retirement from office on grounds of infirmity*

- 5 (1) This paragraph applies in the case of a member of the past service scheme who retires, or has already retired, before reaching the retiring age on grounds of having become incapable through infirmity of performing the duties of his or her office.
- (2) If the member retired before 1 January 1998, the rate of pension is the rate to which the member would have been entitled if he or she—
  - (a) had continued until reaching the retiring age to perform pensionable service of the kind he or she was performing immediately before retiring, and
  - (b) had retired on reaching the retiring age.
- (3) Otherwise, the rate of pension is the rate, and (if the member retires after the commencement of this Schedule) the amount of the lump sum payment is the amount, to which the member would have been entitled if he or she had retired on reaching the retiring age.

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**Commencement Information**

**I15** Sch. 2 para. 5 in force at 1.3.2019 by S.I. 2019/98, art. 2

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*Infirmity arising after pensionable service ended*

- 6 (1) This paragraph applies in the case of a member of the past service scheme—
- (a) who ceases, or has already ceased, to perform pensionable service before reaching the retiring age and without becoming entitled to receive a pension under the scheme, and
  - (b) who, after ceasing to do so but before reaching the retiring age, satisfies the Board that he or she has, or satisfied it that he or she had, become incapable through infirmity of performing pensionable service.
- (2) The rate of pension is the rate, and (if the member ceases to perform pensionable service after the commencement of this Schedule) the amount of the lump sum payment is the amount, to which the member would have been entitled if he or she had reached the retiring age on the day on which he or she ceased to perform pensionable service.

**Commencement Information**

**I16** Sch. 2 para. 6 in force at 1.3.2019 by S.I. 2019/98, art. 2

### PART 3

#### EARLY RETIREMENT OTHERWISE THAN IN CASES OF INFIRMITY

*Retirement which began before commencement of this Schedule*

- 7 (1) This paragraph applies in the case of a member of the past service scheme who retired before the commencement of this Schedule and before reaching the retiring age, otherwise than on grounds of infirmity but no more than 10 years before he or she would have reached the retiring age.
- (2) The rate of pension is the rate calculated by—
- (a) taking the rate of pension to which the member would have been entitled under Part 1 of Schedule 1 to the Church of England Pensions Regulations 1988 if he or she had reached the retiring age on the date on which the pension becomes payable, and
  - (b) deducting from that the amount which the Board had determined under paragraph 7(b) of that Schedule.

**Commencement Information**

**I17** Sch. 2 para. 7 in force at 1.3.2019 by S.I. 2019/98, art. 2

*Retirement which begins after commencement of this Schedule*

- 8 (1) This paragraph applies in the case of a member of the past service scheme who retires after the commencement of this Schedule and before reaching the retiring age, otherwise than on grounds of infirmity but no more than 10 years before he or she would have reached the retiring age.
- (2) The rate of pension is calculated by—

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- (a) working out the rate of pension to which the member would have been entitled under Part 1 of this Schedule if he or she had reached the retiring age on the date on which the pension becomes payable, and
  - (b) deducting from that such amount as the Board determines with the agreement of the Church Commissioners.
- (3) If the member is entitled to a lump sum payment, the amount is calculated by—
  - (a) working out the amount of the lump sum payment to which the member would have been entitled under Part 1 of this Schedule if he or she had reached the retiring age on the date on which he or she retired, and
  - (b) deducting from that such amount as the Board determines with the agreement of the Church Commissioners.
- (4) Before making a determination under sub-paragraph (2)(b) or (3)(b), the Board must obtain the advice of an actuary.

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**Commencement Information**

**I18** Sch. 2 para. 8 in force at 1.3.2019 by S.I. 2019/98, art. 2

## **PART 4**

### **ADDITIONAL LUMP SUM PAYMENT**

- 9
- (1) A member of the past service scheme who becomes entitled to a lump sum payment under section 15 after the commencement of this Schedule may, with the agreement of the Board, give up pension under the scheme for an additional lump sum payment.
  - (2) It is up to the member to choose the amount of an additional lump sum payment under this paragraph; but the amount must not exceed that which, when aggregated with the amount of the member's lump sum payment under section 15, is the maximum amount permitted as a pension commencement lump sum.
  - (3) Accordingly, a member may not exercise the power under this paragraph if the amount of the member's lump sum payment under section 15 is equal to the maximum amount permitted as a pension commencement lump sum.
  - (4) A lump sum payment under this paragraph is payable when the member's pension under the past service scheme becomes payable.
  - (5) The Board may impose restrictions on a member's exercise of the entitlement under this paragraph.
  - (6) The basis for converting pension to a lump sum payment under this paragraph is to be determined by the Board on the advice of an actuary.
  - (7) “Pension commencement lump sum” has the meaning given in Part 4 of the Finance Act 2004.

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**Commencement Information**

**I19** Sch. 2 para. 9 in force at 1.3.2019 by S.I. 2019/98, art. 2

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

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## SCHEDULE 3

Section 58

## CONSEQUENTIAL AMENDMENTS

*Church Commissioners Measure 1947*

- 1 In section 10 of the Church Commissioners Measure 1947 (finance), in subsection (6) (use of general fund), for “section 7 of the Pensions Measure 1997 (which relates to the use of capital funds)” substitute “ sections 31(4) and 39(6) (which relate to the use of capital funds) ”.

**Commencement Information**

**I20** Sch. 3 para. 1 in force at 1.3.2019 by S.I. 2019/98, art. 2

*Incumbents (Vacation of Benefices) Measure 1977*

- 2 The Incumbents (Vacation of Benefices) Measure 1977 is amended as follows.

**Commencement Information**

**I21** Sch. 3 para. 2 in force at 1.3.2019 by S.I. 2019/98, art. 2

- 3 In section 13 (compensation), omit subsection (3).

**Commencement Information**

**I22** Sch. 3 para. 3 in force at 1.3.2019 by S.I. 2019/98, art. 2

- 4 (1) Section 14 (pension provision where incumbent unable to perform duties) is amended as follows.
- (2) In subsection (1), for the words from “the Church of England (Pensions) Measures” to “1972” substitute “ the Church of England Pensions Measure 2018 ”.
- (3) In subsection (2), for “the said Measures and regulations” substitute “ the Church of England Pensions Measure 2018 ”.

**Commencement Information**

**I23** Sch. 3 para. 4 in force at 1.3.2019 by S.I. 2019/98, art. 2

- 5 (1) Schedule 2 (compensation) is amended as follows.
- (2) In paragraph 2 (payment of basic award), in sub-paragraph (1)(a)(i), for the words from “within the meaning” to “rules)” substitute “ to which the funded scheme applies ”.
- (3) In sub-paragraph (2) of that paragraph—
- (a) in paragraph (b), for “the pensions regulations or the Funded Scheme rules” substitute “ the past service scheme or the funded scheme ”, and

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- (b) in paragraph (c), for “within the meaning of the Funded Scheme rules” substitute “to which the funded scheme applies”.
- (4) In paragraph 7 (liability of diocesan board of finance), for “section 4 of the Pensions Measure 1997” substitute “Part 2 of the Church of England Pensions Measure 2018”.
- (5) In paragraph 8(1) (interpretation)—
  - (a) at the appropriate place insert each of the following—
    - ““funded scheme” has the same meaning as in the Church of England Pensions Measure 2018;”;
    - ““past service scheme” has the same meaning as in the Church of England Pensions Measure 2018;”;
  - (b) omit the definition of “the Funded Scheme Rules”,
  - (c) omit the definition of “pensions regulations”,
  - (d) in the definition of “retiring age”, for “the Funded Scheme rules” substitute “the Church of England Pensions Measure 2018”, and
  - (e) in the definition of “stipendiary ecclesiastical service”, for “the pensions regulations” substitute “the Church of England Pensions Measure 2018”.

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**Commencement Information**

**I24** Sch. 3 para. 5 in force at 1.3.2019 by [S.I. 2019/98](#), [art. 2](#)

*Mission and Pastoral Measure 2011*

- 6 In Schedule 4 to the Mission and Pastoral Measure 2011 (compensation of office-holders), in paragraph 3(1)(b) (amount of compensation), for “section 4(1) of the Pensions Measure 1997” substitute “section 9(2) of the Church of England Pensions Measure 2018”.

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**Commencement Information**

**I25** Sch. 3 para. 6 in force at 1.3.2019 by [S.I. 2019/98](#), [art. 2](#)

*Church of England (Miscellaneous Provisions) Measure 2018*

- 7 In section 11 of the Church of England (Miscellaneous Provisions) Measure 2018 (statutory bodies: execution of documents), in the Table in subsection (7), in the second column of the entry for the Board, for “Section 21(13A) or (13B) of the Clergy Pensions Measure 1961” substitute “In Schedule 1 to the Church of England Pensions Measure 2018, paragraph 11(3) or (4).”

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**Commencement Information**

**I26** Sch. 3 para. 7 in force at 1.3.2019 by [S.I. 2019/98](#), [art. 2](#)

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

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## SCHEDULE 4

Section 59

## TRANSITIONAL AND SAVING PROVISIONS

*Continuity of the law*

- 1 The repeal and re-enactment of provisions by this Measure does not affect the continuity of the law.

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**Commencement Information**

**I27** Sch. 4 para. 1 in force at 1.3.2019 by S.I. 2019/98, art. 2

- 2 A reference, express or implied, in this Measure, another enactment or an instrument or document, to a provision of this Measure is, subject to its context, to be read as being or including a reference to the corresponding provision repealed by this Measure, in relation to times, circumstances or purposes in relation to which the repealed provision had effect.

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**Commencement Information**

**I28** Sch. 4 para. 2 in force at 1.3.2019 by S.I. 2019/98, art. 2

- 3 A reference, express or implied, in an enactment, instrument or document to a provision repealed by this Measure is, subject to its context, to be read as being or including a reference to the corresponding provision of this Measure, in relation to times, circumstances or purposes in relation to which that provision has effect.

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**Commencement Information**

**I29** Sch. 4 para. 3 in force at 1.3.2019 by S.I. 2019/98, art. 2

- 4 (1) Anything done, or having effect as if done, under (or for the purposes of or in reliance on) a provision repealed and re-enacted by this Measure, and in force or effective immediately before the commencement of the corresponding provision of this Measure, has effect after that commencement as if done under (or for the purposes of or in reliance on) that corresponding provision.
- (2) The reference in sub-paragraph (1) to things done does not include a reference to the rules and regulations made under a provision repealed by this Measure.

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**Commencement Information**

**I30** Sch. 4 para. 4 in force at 1.3.2019 by S.I. 2019/98, art. 2

- 5 The generality of paragraphs 1 to 4 is not affected by any other provision of this Measure which itself provides for a specified thing done under a provision repealed and re-enacted by this Measure to be treated as if done under the corresponding provision of this Measure.

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

**Commencement Information**

**I31** Sch. 4 para. 5 in force at 1.3.2019 by S.I. 2019/98, art. 2

- 6 Paragraphs 1 to 4 have effect in place of section 17(2) of the Interpretation Act 1978; but nothing in this Schedule affects any other provision of that Act.

**Commencement Information**

**I32** Sch. 4 para. 6 in force at 1.3.2019 by S.I. 2019/98, art. 2

*Effect of previous transitionals and savings*

- 7 The repeals made by this Measure do not affect the operation of a transitional provision or saving relating to the commencement of a provision reproduced in this Measure so far as the transitional provision or saving is not specifically reproduced in this Measure but remains capable of having effect in relation to the corresponding provision of this Measure or otherwise.

**Commencement Information**

**I33** Sch. 4 para. 7 in force at 1.3.2019 by S.I. 2019/98, art. 2

- 8 (1) The repeal by this Measure of a provision previously repealed subject to savings does not affect the continued operation of those savings.
- (2) The repeal by this Measure of a saving on the previous repeal of a provision does not affect the operation of the saving in so far as it is not specifically reproduced in this Measure but remains capable of having effect.

**Commencement Information**

**I34** Sch. 4 para. 8 in force at 1.3.2019 by S.I. 2019/98, art. 2

*Use of existing documents*

- 9 A reference to a provision repealed by this Measure which is contained in a document made, served, granted or issued after the commencement of the repeal is, subject to its context, to be read as being or including a reference to the corresponding provision of this Measure.

**Commencement Information**

**I35** Sch. 4 para. 9 in force at 1.3.2019 by S.I. 2019/98, art. 2

*References to “repeal”*

- 10 In this Schedule, a reference to a repeal includes a reference to a revocation.

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

### Commencement Information

**I36** Sch. 4 para. 10 in force at 1.3.2019 by S.I. 2019/98, art. 2

## SCHEDULE 5

Section 60

### REPEALS AND REVOCATIONS

### Commencement Information

**I37** Sch. 5 in force at 1.3.2019 by S.I. 2019/98, art. 2 (with art. 3)

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Clergy Pensions Measure 1961 (No. 3)	Sections 1 to 46. Section 48. Schedule 1. Schedule 3.
Clergy Pensions (Amendment) Measure 1967 (No. 1)	The whole Measure.
Clergy Pensions (Amendment) Measure 1972 (No. 5)	The whole Measure.
Incumbents (Vacation of Benefices) Measure 1977 (No. 1)	Section 13(3).
Deaconesses and Lay Workers (Pensions) Measure 1980 (No. 1)	The whole Measure.
Diocese in Europe Measure 1980 (No. 2)	Section 5.
Clergy Pensions (Amendment) Measure 1982 (No. 2)	The whole Measure.
Deacons (Ordination of Women) Measure 1986 (No. 4)	Section 3. The Schedule.
Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988 (No. 1)	Section 12.
Church of England (Pensions) Measure 1988 (No. 4)	Sections 5 to 17. In Schedule 2, Part 1 and paragraph 23. Schedule 3.
Church of England Pensions (Lump Sum Payments) Rules 1988	The whole instrument.



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

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Clergy Pensions (Amendment) Regulations 1988 (S.I. 1988/2239)	The whole instrument.
Church of England Pensions Regulations 1988 (S.I. 1988/2256)	The whole instrument.
Church of England Pensions (Amendment) Regulations 1992 (S.I. 1992/1748)	The whole instrument.
Church of England (Miscellaneous Provisions) Measure 1995 (No. 2)	Section 8.
Pensions Measure 1997 (No. 1)	Sections 1 to 9. Section 10(2) and (3). In Schedule 1, paragraphs 4 to 33. Schedule 2.
Church of England Pensions Regulations 1997 (S.I. 1997/1929)	The whole instrument.
Church of England (Lump Sum Payments) (Amendment) Rules 1997	The whole instrument.
Trustee Act 2000 (c. 29)	In Schedule 2, paragraphs 53 and 56 and the preceding cross-heading in each case.
Church of England (Pensions) Measure 2003 (No. 2)	The whole Measure.
Civil Partnership (Judicial Pensions and Church Pensions, etc.) Order 2005 (S.I. 2005/3325)	Articles 80 to 85 and 88 to 91. In Schedule 7, paragraph 1 and the preceding cross-heading.
Charities Act 2006 (c. 50)	In Schedule 8, paragraph 48.
Mental Capacity Act 2005 (Transitional and Consequential Provisions) Order 2007 (S.I. 2007/1898)	In Schedule 1, paragraph 16.
Church of England Pensions (Amendment) Measure 2009 (No. 2)	The whole Measure.
Church of England Pensions (Lump Sum Payments) (Amendment) Rules 2009	The whole instrument.
Church of England Pensions (Amendment) Regulations 2009 (S.I. 2009/2109)	The whole instrument.
Church of England (Miscellaneous Provisions) Measure 2010 (No. 1)	Section 4.
Church of England Pensions (Amendment) Regulations 2010 (S.I. 2010/1922)	The whole instrument.

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

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Church of England Pensions (Sodor and Man) (Amendment) Regulations 2011 (S.I. 2011/1717) The whole instrument.

Church of England (Miscellaneous Provisions) Measure 2014 (No. 1) Section 4(2).  
In Schedule 2, paragraphs 4, 12 and 20.

Marriage (Same Sex Couples) Act 2013 and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Provisions) Order 2014 (S.I. 2014/3061) In Schedule 3, paragraphs 2 to 7.

Church of England (Pensions) (Amendment) Measure 2015 (No. 3) The whole Measure.

Church of England Pensions (Amendment) Regulations 2017 (S.I. 2017/312) The whole instrument.

Mission and Pastoral etc. (Amendment) Measure 2018 (No. 4) In the Schedule, paragraph 6.

Pensions (Pre-consolidation) Measure 2018 (No. 2) The whole Measure.

Church of England (Miscellaneous Provisions) Measure 2018 (No. 7) Section 11(3).

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**Changes to legislation:**

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