



Church of England Pensions Measure 2018

2018 No. 9

PART 3

THE PAST SERVICE SCHEME

Pensions for scheme members

16 Payment of pension and lump sum

- (1) Where a member of the past service scheme was receiving a pension under the scheme immediately before the commencement of this section, the pension continues to be payable for the rest of the member's life.
- (2) Where a member of the past service scheme becomes entitled after the commencement of this section to receive a pension under the scheme, the pension—
 - (a) becomes payable when the member retires, and
 - (b) continues to be payable for the rest of the member's life.
- (3) Where a member of the past service scheme becomes entitled after the commencement of this section to receive a lump sum payment, it is payable when the member retires.
- (4) The rate of a member's pension under the past service scheme and the amount of the lump sum payment to which a member is entitled are determined in accordance with Schedule 2.
- (5) A member of the past service scheme who—
 - (a) ceases, or has already ceased, to perform pensionable service before reaching the retiring age and without receiving a pension under the scheme, and
 - (b) after ceasing to perform pensionable service but before reaching the retiring age, satisfies the Board that he or she has become incapable through infirmity of performing pensionable service,

Changes to legislation: There are currently no known outstanding effects for the Church of England Pensions Measure 2018, Section 16. (See end of Document for details)

is to be treated for the purposes of this Part as retiring on the date on which the Board becomes so satisfied.

- (6) A member of the past service scheme who—
- (a) ceases, or has already ceased, to perform pensionable service before reaching the retiring age, and
 - (b) on the date of reaching the retiring age, is neither performing pensionable service nor receiving a pension under the scheme,

is to be treated for the purposes of this Part as retiring on the date on which he or she reaches the retiring age.

- (7) A member of the past service scheme who has been deposed from Holy Orders or who has executed a deed of relinquishment under the Clerical Disabilities Act 1870 is to be treated for the purposes of this Part as retiring—
- (a) if he or she had reached the retiring age by the date of the deposition or on which the deed was recorded in the diocesan registry under section 4 or 5 of that Act, on that date;
 - (b) if he or she had not reached the retiring age by that date, on the date when he or she does reach the retiring age.

- (8) Accordingly, in the case of a member of the past service scheme who comes within subsection (5), (6) or (7), a reference in this Part to the member's retirement is to be interpreted in accordance with that subsection.

Commencement Information

II [S. 16](#) in force at 1.3.2019 by [S.I. 2019/98](#), [art. 2](#)

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