



# Church of England Pensions Measure 2018

2018 No. 9

## PART 3

### THE PAST SERVICE SCHEME

#### *Pensions for scheme members*

#### **18 Requirement for medical evidence etc. in case of infirmity**

- (1) A member of the past service scheme does not become entitled to a pension under the scheme in the second or third case under section 14(4) or (5) (incapability through infirmity) unless the Board is satisfied, after considering medical evidence and such other evidence as in its opinion is necessary—
  - (a) that the member is incapable through infirmity of working as described in the provision concerned, and
  - (b) that the infirmity is likely to be permanent.
- (2) Where the Board decides that it is satisfied as mentioned in subsection (1), its decision is nonetheless subject to the condition that it may require further medical or other evidence.
- (3) Where the Board decides that it is not satisfied as mentioned in subsection (1), the member in question may appeal against the decision.
- (4) An appeal under subsection (3) is to be made to a panel of two or more referees appointed by the Board as suitable persons to consider the appeal; and the decision of the panel is final.

---

#### **Commencement Information**

**II** [S. 18](#) in force at 1.3.2019 by [S.I. 2019/98](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Church of England Pensions Measure 2018, Section 18.