



# Church of England Pensions Measure 2018

2018 No. 9

## PART 3

### THE PAST SERVICE SCHEME

#### *Pensions for scheme members*

#### **19 Suspension or reduction of pension in light of medical evidence etc.**

- (1) This section applies if a member of the past service scheme fails to comply—
  - (a) with a requirement imposed by virtue of section 18(2), or
  - (b) in the case of a decision of the Board made before the commencement of this section under regulation 7(1) of the Church of England Pensions Regulations 1988, with a requirement imposed by virtue of regulation 7(2) of those Regulations.
- (2) This section also applies if the Board is satisfied, after considering further medical evidence, that a member of the past service scheme—
  - (a) has become capable of performing pensionable service, or
  - (b) is engaged, or is capable of being engaged, in other remunerated work.
- (3) The Board may suspend or reduce the member's pension under the scheme.
- (4) Where the Board decides to suspend or reduce a member's pension under this section, the member may appeal against the decision.
- (5) An appeal under subsection (4) 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.
- (6) Where a member's pension is suspended or reduced in a case within subsection (2)(a) and the member subsequently retires, payment of the pension resumes—

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*Status: This is the original version (as it was originally enacted).*

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- (a) on the date of the subsequent retirement, and
  - (b) at the rate the Board determines, having regard to any additional period of pensionable service performed.
- (7) Where a member's pension is suspended or reduced in a case within subsection (2)(b) and the member ceases to be engaged in remunerated work, payment of the pension resumes—
  - (a) on the date on which the member ceases to be so engaged, and
  - (b) at the rate the Board determines.
- (8) Where a member's pension is suspended or reduced in a case within subsection (2)(b) and the Board is satisfied on further medical evidence that the member is incapable of being engaged in remunerated work, payment of the pension resumes—
  - (a) on the date on which the Board becomes satisfied of that, and
  - (b) at the rate the Board determines.
- (9) The rate determined under subsections (6) to (8) must be at least the rate at which the pension was being paid before the suspension or reduction.
- (10) The power to suspend or reduce a pension in a case within subsection (2) does not apply to a pension to which a member became entitled before 1 October 1992.