



# Church of England Pensions Measure 2018

2018 No. 9

## PART 3

### THE PAST SERVICE SCHEME

#### *Pensions for surviving spouses etc. and children*

#### **23 Children**

- (1) Where the child of a deceased member of the past service scheme who has not reached 18 was entitled immediately before the commencement of this section to receive a pension under the scheme, he or she continues to be entitled to receive a pension under the scheme from the Board—
  - (a) until the day on which the child reaches 18, and
  - (b) while in full-time education or training after reaching 18.
- (2) Where the child of a deceased member of the past service scheme who has reached 18 and is in full-time education or training was entitled immediately before the commencement of this section to receive a pension under the scheme, he or she continues to be entitled to receive a pension under the scheme from the Board while in full-time education or training.
- (3) Where a member of the past service scheme dies after the commencement of this section leaving a child who has not reached 18, the child is entitled to receive a pension under the scheme from the Board—
  - (a) until the day on which the child reaches 18, and
  - (b) while in full-time education or training after reaching 18.
- (4) Where a member of the past service scheme dies after the commencement of this section leaving a child who has reached 18 and is in full-time education or training,

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**Changes to legislation:** There are currently no known outstanding effects for the Church of England Pensions Measure 2018, Section 23. (See end of Document for details)

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the child is entitled to receive a pension under the scheme from the Board while in full-time education or training.

- (5) The pension payable under the past service scheme to a child of a deceased member of the scheme is equal to—
  - (a) if the member left a surviving spouse or civil partner, one-sixth of the deceased member's pension, or
  - (b) if the member did not leave a surviving spouse or civil partner or if the surviving spouse or civil partner is dead, one-third of the deceased member's pension.
- (6) If two or more children of a deceased member of the past service scheme are entitled to a pension under the scheme, the aggregate of the pensions payable to them must not exceed the amount of the deceased member's pension after the deduction of, if the member left a surviving spouse or civil partner, the pension payable to him or her under section 22.
- (7) If, as a result of subsection (6), the amount available for the deceased member's children is less than the aggregate of the pensions which would otherwise be payable to them under the scheme, the amount to which each child is entitled under the scheme is determined by dividing the amount available between the children equally.
- (8) Where a child of a deceased member of the past service scheme is in full-time education or training, a pension under the scheme is payable to the child only if—
  - (a) the Board has approved the education or training, and
  - (b) the child has not reached 23.
- (9) The Board may discontinue the payment of a pension under the past service scheme to a child of a deceased member of the scheme if the member's surviving spouse or civil partner gets married or enters into a civil partnership; but the Board may resume the payment of a pension discontinued under this subsection.
- (10) “Training” means training for a trade, profession or vocation.

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#### Commencement Information

**II** [S. 23](#) in force at 1.3.2019 by [S.I. 2019/98](#), [art. 2](#)

**Changes to legislation:**

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