
STATUTORY INSTRUMENTS

1988 No. 2256

The Church of England Pensions Regulations 1988

PART I
PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Church of England Pensions Regulations 1988 and shall come into operation on 1st April 1989.

Interpretation

2.—(1) In these regulations—

“actuary” means a Fellow of the Institute of Actuaries or of the Faculty of Actuaries in Scotland employed by the Board for the purposes of the 1961 Measure and these regulations;

“approved scheme” means a pensions scheme approved by the Board and the Commissioners for the purposes of these regulations;

“bishop” includes an archbishop;

“the Board” means the Church of England Pensions Board;

“child” includes a step-child;

“clerk” means any bishop, priest or deacon of the Church of England;

“the Commissioners” means the Church Commissioners;

“diocesan bishop” means the bishop of any diocesan bishopric in England, whenever created, including the bishopric of Sodor and Man;

“ecclesiastical service” means service rendered under the direction of a diocesan bishop or carried on in furtherance of the spiritual or administrative work of the Church of England and recognised as such by a diocesan bishop;

“excepted provision” means a provision of the 1961 Measure which is excepted from section 6(2) of the Clergy Pensions (Amendment) Measure 1972;

“licensed lay worker” means a person who has been admitted by a bishop as a lay worker of the Church of England and who has been authorised by a bishop by licence to serve as such a worker, and includes a person who has been so admitted and has been so authorised otherwise than by licence if on 1st December 1988 he was a member of the Church Workers Pension Fund;

“the 1961 Measure” means the Clergy Pensions Measure 1961(1);

“pensionable service” means—

- (a) stipendiary ecclesiastical service within the area to which these regulations apply in connection with a diocese, cathedral or parish, or in connection with the collegiate churches of Westminster or Windsor;
- (b) service which is treated as pensionable service by virtue of an agreement made or deemed to have been made under regulation 5(1) or (2) of these regulations; and
- (c) service which by virtue of regulation 4(2) of these regulations is treated as having been performed during an interval between service included in sub-paragraph (a) or (b) above;

but, except as provided in regulation 5(2), pensionable service does not include any service in respect of which a clerk, deaconess or licensed lay worker is a member of a pensions scheme other than the principal scheme or an approved scheme;

“principal scheme” means the provisions relating to pensions for clerks, deaconesses and licensed lay workers contained in these regulations and in rules made under section 3 of the Clergy Pensions (Amendment) Measure 1967(2), and known as the Church of England Pensions Scheme;

“a qualifying period of pensionable service” means—

- (a) a period of pensionable service of not less than two years or a succession of periods of such service (whether with or without intervals) amounting in the aggregate to not less than two years, or
- (b) if in exceptional circumstances the Board with the concurrence of the Commissioners determine that in the case of an individual scheme member pensionable service for a period shorter than two years, or for a succession of periods amounting in aggregate to a period shorter than two years, should be treated as a qualifying period, pensionable service for that shorter period;

“retiring age” means in the case of a man the age of 65 years or such earlier age as the General Synod may by resolution from time to time determine and in the case of a woman the age of 60 years or such other age as the General Synod may so determine;

“scheme member” means a clerk, deaconess or licensed lay worker;

“state pensionable age” means pensionable age for the purposes of the Social Security Acts 1975 to 1988;

“stipend” includes salary and other emoluments;

“suffragan bishop” means the bishop of any suffragan bishopric in England, whenever created.

(2) For the purposes of these regulations ecclesiastical service is stipendiary if the scheme member receives in respect of that service—

- (a) a payment from the Commissioners' general fund, including any payment out of that fund by way of a guaranteed annuity under section 1 of the Endowments and Glebe Measure 1976(3) or an annual personal grant under section 2 of that Measure;
- (b) a payment from any diocesan fund; or
- (c) a payment from money raised in the parish and given for or allocated to the maintenance of that scheme member;

except that ecclesiastical service is not stipendiary if the only payment received by the scheme member is made to him by way of reimbursement of or contribution to expenses incurred by the scheme member, including the cost of maintaining, heating, lighting and cleaning the property in which he lives or is entitled to live.

(2) 1967 No. 1.
(3) 1976 No. 4.

(3) For the purposes of these regulations “dependant” has such meaning as the Board, having regard to all the circumstances, may determine in relation to each case.

(4) The Interpretation Measure 1925(4) shall apply for the interpretation of these regulations as it applies for the interpretation of Measures passed by the General Synod.

Extent

3. These regulations extend to—
 - (a) the whole of the province of Canterbury, except the Channel Islands, and
 - (b) the whole of the province of York, including the Isle of Man.