



Pensions Measure 1997

1997 No. 1

Funded scheme

3 Establishment of pensions fund.

- (1) The funded scheme shall provide for the constitution and maintenance by the Board of a fund, to be known as “the Church of England Pensions Fund”, and the Board shall pay into that fund—
 - (a) all contributions received by the Board under section 4 below;
 - (b) all other moneys received by the Board for the purposes of the funded scheme.
- (2) All payments in respect of pensions and lump sum payments arising or to be provided under the funded scheme shall be made by the Board out of the Pensions Fund.

4 Contributions to pensions fund.

- (1) It shall be the duty of each responsible body to make contributions for the purposes of the funded scheme by paying to the Board in respect of each scheme member for whom the body is responsible such sums as the Board may determine in accordance with the regulations.
- (2) Before making any determination under subsection (1) above the Board shall obtain the advice of an actuary, and the determination shall be consistent with that advice.
- (3) The payments mentioned in subsection (1) above shall be made at such times as may be prescribed by the regulations.
- (4) In this section and in section 6 below “responsible body” means—
 - (a) in the case of a diocesan bishop [^{F1}or suffragan bishop] or a dean, provost or residentiary canon in receipt of a stipend or other emoluments under section 28 of the ^{M1}Cathedrals Measure 1963, the Church Commissioners (hereinafter referred to as “the Commissioners”);
 - (b) in the case of a scheme member in receipt of a stipend paid from a diocesan stipends fund income account kept by the Commissioners under section 1 of

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Changes to legislation: There are currently no known outstanding effects for the Pensions Measure 1997, Cross Heading: Funded scheme. (See end of Document for details)

- the ^{M2}Diocesan Stipends Fund Measure 1953, the Diocesan Board of Finance of the diocese concerned;
- [^{F2}(bb) in the case of a scheme member in receipt of periodical payments under section 13 of and paragraph 2 of Schedule 2 to the Incumbents (Vacation of Benefices) Measure 1977 (1977 No. 1) or compensation under [^{F3}Schedule 4 to the Mission and Pastoral Measure 2011], the Diocesan Board of Finance of the diocese concerned;]
- (c) in the case of a scheme member in receipt of a stipend paid wholly from capitular funds, the capitular body of the cathedral church concerned;
- (d) in the case of a scheme member in receipt of periodical payments under section 1(1)(b) of the ^{M3}Ordination of Women (Financial Provisions) Measure 1993, the Commissioners;
- (e) in the case of a scheme member who is—
- (i) a clerk in Holy Orders employed by a World Mission Agency of the Church of England which is at the passing of this Measure an associate or full member of the Partnership for World Mission; or
- (ii) a clerk in Holy Orders employed by the Church Pastoral Aid Society, the Commissioners;
- (f) in the case of a scheme member employed in pensionable service otherwise than as mentioned in paragraph (e) above, the employer;
- (g) in the case of any other person who is a scheme member performing pensionable service, the body primarily concerned for the time being in promoting that person's membership of the funded scheme.
- (5) In its application to the Isle of Man, subsection (4) above shall have effect with the substitution for paragraph (b) of the following paragraph—
- “(b) in the case of a scheme member in receipt of a stipend paid from a diocesan stipends account kept by the Sodor and Man Diocesan Board of Finance, that Board;”.

Textual Amendments

- F1** Words in s. 4(4)(a) inserted (coming into force in accordance with art. 2 of the commencing S.I.) by [Pensions \(Pre-consolidation\) Measure 2018 \(No. 2\), s. 2\(3\), Sch. para. 19](#); S.I. 2018/716, art. 2
- F2** S. 4(4)(bb) inserted (1.5.2003) by [Church of England \(Pensions\) Measure 2003 \(No. 2\), s. 4, 7\(2\); Instrument made by Archbishops 2003/1](#),
- F3** Words in s. 4(4)(bb) substituted (1.7.2018) by [Mission and Pastoral etc. \(Amendment\) Measure 2018 \(No. 4\), s. 14\(3\), Sch. para. 6](#); S.I. 2018/722, art. 2(a) (with Sch. para. 3)

Marginal Citations

- M1** 1963 No. 2.
- M2** 1 & 2 Eliz.2 No. 2.
- M3** 1993 No. 3.

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