

2009 No. 2109

ECCLESIASTICAL LAW, ENGLAND

**The Church of England Pensions (Amendment)
Regulations 2009**

Made (approved by the General Synod)- 13th July 2009

Laid before Parliament 6th August 2009

Coming into force - - 1st January 2010

The General Synod, in exercise of the powers conferred by section 6 of the Clergy Pensions (Amendment) Measure 1972(a), approves the following Regulations.

In accordance with section 6(4) of that Measure these Regulations have been prepared by the Church of England Pensions Board and laid before the General Synod with the concurrence of the Church Commissioners.

Citation, commencement and interpretation

1. These Regulations may be cited as the Church of England Pensions (Amendment) Regulations 2009 and shall come into force on 1st January 2010.

Meaning of “deceased member’s pension”

2. For regulation 17(1)(a) and (b) of the Church of England Pensions Regulations 1988(b) substitute—

- “(a) if at the date of death the scheme member was in receipt of a pension under these regulations, the pension received by the member or, if the scheme member had chosen to give up pension for an additional lump sum under Rule 9A of the Church of England (Lump Sum Payments) Rules 1988 (being rules made under section 3 of the Clergy Pensions (Amendment) Measure 1967(c)), the pension the member would have been receiving had he not done so;
- (b) if at the date of death the scheme member had attained the retiring age but was not in receipt of a pension under these regulations, the pension to which the member would have been entitled if he had retired on the date of his death and had not given up pension for an additional lump sum under Rule 9A of the Church of England (Lump Sum Payments) Rules 1988;”.

(a) 1972 No. 5.
(b) S.I. 1988/2256.
(c) 1967 No. 1.

Approved by the General Synod on
13th July 2009

Church House, London

David Williams
Clerk to the Synod

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Church of England Pensions Regulations 1988 which apply in relation to the Church of England Pensions Scheme (“the Past Service Scheme”). The amendments they make are to take account of the fact that a member of the Past Service Scheme may be entitled to give up pension for an additional lump sum. The pension of a deceased member who had given up pension in this way will, for the purpose of calculating the pension to be paid to his/her widow/widower or minor children, be the pension that the member would have been receiving (or to which he or she would have been entitled) if he or she had not given up pension for an additional lump sum.

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