STATUTORY INSTRUMENTS

2010 No. 1922

ECCLESIASTICAL LAW, ENGLAND

The Church of England Pensions (Amendment) Regulations 2010

Made - - - -	*9th July 2010*
Laid before Parliament	*30th July 2010*
Coming into force - -	*1st January 2011*

In accordance with section 6(4) of the Clergy Pensions (Amendment) Measure 1972(**a**) ("the 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.

The General Synod, in exercise of the powers conferred by section 6 of the Measure, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Church of England Pensions (Amendment) Regulations 2010 and shall come into force on 1st January 2011.

Civil partners

2.—(1) The Church of England Pensions Regulations 1988(**b**) are amended as follows.

(2) The following definitions shall be inserted in regulation 2(1) in the appropriate places—

""civil partner" means the scheme member's civil partner under the Civil Partnership Act 2004(**c**);

"widow or widower" means—

(a) a person to whom the scheme member was married at the date of his or her death; or

(b) where a scheme member dies on or after 1st December 2005, a person who was the scheme member's civil partner at the date of his or her death".

(**a**) 1972 No. 5.

(**b**) S.I. 1988/2256. The Church of England Pensions Regulations 1988 were amended by the Church of England Pensions (Amendment) Regulations 1992 (S.I. 1992/1748), the Pensions Measure 1997 (1997 No. 1), the Church of England Pensions Regulations 1997 (S.I. 1997/1929), the Civil Partnership (Judicial Pensions and Church Pensions, etc.) Order 2005 (S.I. 2005/3325), the Mental Capacity Act 2005 (Transitional and Consequential Provisions) Order 2007 (S.I. 2007/1898), the Church of England Pensions (Amendment) Regulations 2009 (S.I. 2009/2109).

(**c**) 2004 c. 33.

(3) For the definition of "child" in regulation 2(1) there shall be substituted—

""child" includes a scheme member's step-child and a child of the scheme member's civil partner".

(4) After regulation 2(3) insert—

"(3A) For the purposes of these Regulations remarriage of a widow or widower left by a scheme member includes the registration of a civil partnership by such widow or widower and "remarries" shall be construed accordingly.".

(5) In regulation 6(3) after the word "spouse" (in both places) there shall be inserted the words "or civil partner".

Approved by the General Synod on
9th July 2010

David Williams
Clerk to the Synod

Church House, Westminster

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 place a scheme member's surviving civil partner in the same position, for the purposes of the Past Service scheme, as a widow or widower left by a scheme member. They also amend the meaning of "child" so that as well as a scheme member's step child, that expression also includes the child of a scheme member's civil partner and make consequential amendments.

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