

GENERAL SYNOD

**THE CHURCH OF ENGLAND FUNDED PENSIONS SCHEME (CIVIL PARTNERS' BENEFITS)
(AMENDMENT) RULES 2010**

Made by the Church of England Pensions Board ***

Approved by the General Synod ***

Coming into force *1st January 2011*

The Church of England Pensions Board makes the following rules for the purposes of the Church of England Funded Pensions Scheme:

1. These rules shall come into force on 1st January 2011.
2. In these rules “the Scheme Rules” means the Rules of the Church of England Funded Pensions Scheme.
3. In Rule 1.1 of the Scheme Rules, after the definition of “Church of England Pensions Scheme”, insert—

““**Civil Partner**” means a Member’s registered civil partner under the Civil Partnership Act 2004.”.

4. For Rules 7.1 to 7.4 of the Scheme Rules substitute—

7.1 Pension for spouse or Civil Partner

If a Member dies leaving a surviving spouse or Civil Partner, the spouse or Civil Partner will receive a pension for life, calculated as described below.

Where the marriage took place or the Member formed the Civil Partnership after the Member started to receive a pension and within six months of the Member’s death, the spouse or Civil Partner will not be entitled to a pension, unless the Board in its discretion otherwise decides.

The Board may at its discretion discontinue a pension payable to a spouse or Civil Partner (and, if it sees fit, a Pensionable Child as defined below) if the spouse or Civil Partner remarries or forms a civil partnership. If it does so, it may at its discretion resume the pension or pensions concerned.

7.2 Member dies in Service

If the Member dies in Service before Retiring Age, the pension payable to a spouse or Civil Partner will be two-thirds of the Disability pension the Member would have received under Rule 5.1 (Disability retirement pension) if he or she had retired on account of Disability on the day of his or her death.

If the Member dies in Service on or after Retiring Age, the pension payable to a spouse or Civil Partner will be equal to two-thirds of the pension that the Member would have received if he or she had retired on the day of his or her death.

7.3 Member dies after pension starts

If the Member dies after starting to receive a pension, the pension payable to a spouse or Civil Partner will be equal to two thirds of the pension payable to the Member at the date of death or,

if the Member gave up the pension for a lump sum or on retirement, two thirds of the pension that would have been payable if the Member had not done so.

7.4 Member dies with a preserved pension that has not started

If the Member dies before Retiring Age with a preserved pension that has not started, the pension payable to a spouse or Civil Partner will be two-thirds of the pension the Member would have received under Rule 5.2 (Preserved benefits payable early on grounds of Disability) if he or she had retired on account of Disability on the date of his or her death.”.

5. Rule 7.5 of the Scheme Rules is amended as follows.

6. For the definition of “Pensionable Children” substitute—

“**“Pensionable Children”** are (i) the Member’s children, (ii) children legally adopted by the Member, (iii) the Member’s step children and (iv) any children of the Member’s Civil Partner (provided, in the case of (iii) and (iv) above, that they are financially dependent on the Member at the date of the Member’s death). These children remain Pensionable Children for so long as they are under age 18. If a child is over 18, but is still in full-time education approved by the Board, the child will continue to be a Pensionable Child until full-time education ceases or until the child’s 23rd birthday, whichever is earlier.”.

7. For the words from “The children’s pensions will be based on the number of Pensionable Children” to “will be divided equally between the Pensionable Children” substitute—

“The children’s pension will be based on the number of Pensionable Children from time to time, and the Member’s pension by reference to which a pension for the Member’s spouse or Civil Partner would be calculated as described in Rule 7.2, 7.3 or 7.4 (as appropriate).

If a pension is payable to the Member’s spouse or Civil Partner and there is one Pensionable Child, the children’s pension will be equal to one-sixth of the relevant Member’s pension. If there are two or more Pensionable Children, the children’s pension will be equal to one-third of the relevant Member’s pension.

If no pension is payable to the Member’s spouse or Civil Partner and there are three Pensionable Children or fewer, the children’s pension will be equal to one-third of the relevant Member’s pension for each Pensionable Child. If there are more than three Pensionable Children, the children’s pension will be equal to the relevant Member’s pension.

The children’s pension will be divided equally between the Pensionable Children.”.

8. The words from “A children’s pension will be paid to the child of a Member’s civil partner” to “surviving dependants of deceased civil partners” are omitted.

9. Rule 7.6 of the Scheme Rules is omitted.

Church House, Westminster

June 2010