

2021 No. 554

ECCLESIASTICAL LAW, ENGLAND

**The Legislative Reform (Church of England Pensions) Order
2021**

Made - - - - *4th May 2021*

Laid before Parliament *13th May 2021*

Coming into force in accordance with articles 1(2) and (3)

The Archbishops' Council, in exercise of the powers conferred by sections 1 and 9 of the Legislative Reform Measure 2018^(a) and in accordance with paragraph 12A of Schedule 1 to the National Institutions Measure 1998^(b) and section 11(6) and (7) of the Church of England (Miscellaneous Provisions) Measure 2018^(c), makes the following Order.

The Archbishops' Council considers that the conditions in section 2 of that Measure are (so far as relevant) satisfied.

The Archbishops' Council consulted in accordance with section 4 of that Measure and laid a draft Order and explanatory document before the General Synod in accordance with section 5 of that Measure.

In accordance with section 7 of that Measure, the draft Order has been approved by the General Synod.

Citation, commencement, extent and interpretation

1.—(1) This Order may be cited as the Legislative Reform (Church of England Pensions) Order 2021.

(2) Articles 2 and 3 come into force on 1st July 2021.

(3) The other provisions of this Order come into force on the day after the day on which it is laid before Parliament.

(4) This Order has effect in the Isle of Man without exceptions, adaptations or modifications.

(5) In this Order, “the Pensions Measure” means the Church of England Pensions Measure 2018^(d).

^(a) 2018 No. 5.

^(b) 1998 No. 1. Paragraph 12A of Schedule 1 was inserted by section 11(4) of the Church of England (Miscellaneous Provisions) Measure 2018.

^(c) 2018 No. 7.

^(d) 2018 No. 9.

Church of England Pensions Board: membership

2.—(1) In Schedule 1 to the Pensions Measure (the Board: membership), for paragraph 1 substitute—

“**1.—**(1) The Board has 12 members, including the chair.

(2) The chair is appointed by the Archbishops of Canterbury and York, with the approval of the General Synod.

(3) Four members are elected as follows—

(a) two are elected by and from the members of the funded scheme and the members of the past service scheme (who for this purpose constitute a single electorate), with at least one of them being a member of the House of Clergy,

(b) one is elected by and from the members of the workers’ fund, and

(c) one is elected by and from the members of the administrators’ fund.

(4) One member is elected by the employers who participate in the workers’ fund or the administrators’ fund.

(5) One member is appointed by the Archbishops of Canterbury and York after consulting the Church Commissioners and consulting persons who—

(a) are officers or members of a diocesan board of finance or are members of the House of Clergy or the House of Laity elected for a diocese, and

(b) are chosen under arrangements approved by the Archbishops of Canterbury and York to represent dioceses in consultations on financial matters.

(6) One member is appointed by the Archbishops of Canterbury and York after consulting the Chair of the House of Laity and the chair of the Appointments Committee of the Church of England.

(7) One member is appointed by the Archbishops of Canterbury and York after consulting the Prolocutors of the Convocations of Canterbury and York and the chair of the Appointments Committee of the Church of England.

(8) Three members are appointed by the Archbishops of Canterbury and York, each of them having professional expertise which, in the opinion of the Archbishops, is relevant to membership of the Board.

(9) A person is eligible to be a candidate for election under sub-paragraph (3) only if two members of the Board appointed by the chair, and the chair of the Appointments Committee of the Church of England or a person nominated by the chair of that Committee, have decided that the person has the required skills and experience.

(10) The three persons making a decision under sub-paragraph (9) must, in doing so—

(a) prepare a statement specifying the skills and experience which, in the opinion of those three persons, are required for holding the office in question,

(b) invite (in whatever form and manner those three persons consider appropriate) written applications to the Board explaining how the applicant meets the requirements specified in the statement, and

(c) assess each application by reference to the statement.

(11) The provisions of the Standing Orders of the General Synod relating to elections apply to elections to the Board, with such modifications as are necessary.

(12) The functions of the Archbishop of Canterbury and York under this paragraph are exercisable by them jointly; and the functions under this paragraph of the three persons making a decision under sub-paragraph (9) are exercisable by them jointly.”

(2) In section 53(3) of the Pensions Measure (power to amend Measure: minimum number of Board members required to be representatives of pension schemes), for “eight” substitute “four”.

(3) In paragraph 8 of Schedule 1 to that Measure (procedure), for sub-paragraph (1) substitute—

