

# **THE ANGLICAN CHURCH OF CANADA**

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## **Endowment Fund of the Anglican Church of Canada**

### **REGULATION**

#### **MADE PURSUANT TO SECTION 4 OF CANON VIII**

**January 1, 2020**

# 1. DEFINITIONS

In these Regulations, unless the context requires otherwise, the terms defined in section 1 b) of Canon VIII shall have the meanings ascribed therein. Other capitalized terms used within this document are consistent with terms defined in the General Synod Pension Plan Regulations, in particular:

“**Active Member**” means a person who:

- (a) is a Member accruing Active Service, or
- (b) is a Member who has been granted a leave of absence of one of the following types:
  - i. study leave,
  - ii. pregnancy leave,
  - iii. parental leave,
  - iv. family medical/compassionate care leave, or
  - v. any other type of leave required to be granted by the Ontario Employment Standards Act or other applicable provincial employment or labour standards act or code.

“**Active Service**” refers to the service of any Member with respect to which Contributions are made pursuant to Regulation 3 of the *General Synod Pension Plan Regulations*;

“**Child**” means a person who is the natural or legal child of a Member, is dependent on the Member for support, and is:

- (a) less than eighteen years of age, or
- (b) eighteen or more years of age but less than twenty-five years of age, and:
  - i. in full-time attendance at a school or university, or
  - ii. totally disabled, as determined by the Trustees;

“**Contributions**” means the contributions required pursuant to Regulation 3 of the *General Synod Pension Plan Regulations*;

“**General Synod Pension Plan Regulations**” means the Regulations to Canon VIII with respect to the General Synod Pension Plan;

“**Inactive Member**” means a Member who has terminated employment with a Participating Employer and who:

- (a) has not received settlement in accordance with Regulation 10.2 of the General Synod Pension Plan Regulations, and
- (b) is not in receipt of a Pension.

“**Member**” means a person who is an Active Member, Inactive Member or Retired Member.

“**Normal Retirement Date**” means the first day of the month next following or coincident with the Member's sixty-fifth birthday or following completion of forty Years of Contributory Membership, whichever is earlier;

“**Partner**” means a person who is either of the following:

- (a) the “Spouse” of the Member, defined as a person who is married to the Member and not living separate and apart, or
- (b) The “Domestic Partner” of the Member defined as a person who, although not a Spouse, is living with the Member in a relationship (herein called a “Cohabitational Relationship”) which is of a conjugal nature, and, which

- i. has been continuous for a period of at least one year, or
- ii. is of some permanence, if they are the parents of a child as set out in section 4 of the (Ontario) Children's Law Reform Act and any successor legislation as amended from time to time,

provided that not more than one person may be considered as a Partner of any Member herein under at any one time and, in the event of more than one person having claims to be such, the determination of the Trustees as to which person shall be the Partner, on the basis of evidence available to them which they consider sufficient for the purposes of the determination, shall be final. **This definition is provided for the sole purpose of ensuring that benefits may be paid as required by applicable Federal or Provincial law.**

**"Pension"** means any payment of benefits made under the terms of the Plan;

**"Plan"** means the General Synod Pension Plan as governed by Canon VIII and the General Synod Pension Plan Regulations;

**"Retired Member"** means a Member who is in receipt of a Pension pursuant to Regulation 5 of the General Synod Pension Plan Regulations.

**"Years of Contributory Membership"** means the number of complete months in respect of which the appropriate pension Contributions have been paid into the Pension Fund, divided by twelve, and includes years of participation in any pension plan in the Anglican Communion and years of Back Service purchased pursuant to Regulation 12 of the General Synod Pension Plan Regulations.

## 2. PURPOSE

1. The purpose of this regulation is to document certain provisions provided by the Ordinary Endowment Fund, as defined in section 2 f) of Canon VIII.

## 3. CHILD ALLOWANCE

1. An allowance of \$120.00 per month shall be paid on behalf of each Child of a deceased Member. This allowance shall be reduced to \$100.00 per month upon the Child's 18th birthday.
2. Where a Member has died and no surviving Partner's allowance (as defined in Regulation 7.1(b)(iii) of the General Synod Pension Plan Regulations) is being paid, a portion of the surviving Partner's allowance that would otherwise be payable may, at the discretion of the Trustees, be paid in addition to any allowances payable pursuant to this Regulation and the General Synod Pension Plan Regulations.
3. If the Member was an Inactive Member at the time of death or retirement, the surviving Partner of the deceased Inactive Member shall be eligible to receive a Child Allowance under the same terms and conditions as described in this Regulation, provided that:
  - (a) any allowance described in this Regulation shall be multiplied by the ratio of the Member's number of Years of Contributory Membership to the number of years from the Member's date of entry into the Plan to the Member's Normal Retirement Date, provided that this reduction in Child Allowance shall not apply if the Member is eligible for early retirement, pursuant to Regulation 4.2 of the General Synod Pension Plan Regulations, and has at least ten Years of Contributory Membership on the date on which the Member ceased to be an Active Member.

- (b) no Child born or adopted after the Member ceased to be an Active Member shall be eligible for a Child Allowance.

#### 4. Payment of Child Allowance

A Child Allowance pursuant to this Regulation shall be paid to:

- (a) the surviving parent of the Child on behalf of the Child, where the Member is deceased and a surviving Partner's allowance is being paid, or
  - (b) to the person who has legal custody of the Child on behalf of the Child, where neither parent of the Child is living.
  - (c) Notwithstanding the foregoing, where the Child has attained the age of eighteen years the allowance may, at the discretion of the Trustees, be paid to the Child.
5. Payment of the Child Allowance from the Endowment Fund will be paid in respect of Member or Inactive Member deaths on or after January 1, 2020.

### **4. RETIREMENT CHILD ALLOWANCE**

1. A Retirement Child Allowance of \$60.00 per month shall be paid on behalf of each Child of a Member in receipt of a Pension.
2. If the Member was an Inactive Member at the time of retirement, any allowance described in this Regulation shall be multiplied by the ratio of the Member's number of Years of Contributory Membership to the number of years from the Member's date of entry into the Plan to the Member's Normal Retirement Date, provided that this reduction in Retirement Child Allowance shall not apply if the Member is eligible for early retirement, pursuant to Regulation 4.2 of the General Synod Pension Plan Regulations, and has at least ten Years of Contributory Membership on the date on which the Member ceased to be an Active Member.
3. If the Member has elected to retire early under the provisions of Regulation 4.2 of the General Synod Pension Plan Regulations, the Retirement Child Allowance shall be reduced in accordance with Regulation 5.2 (a)(ii) of the General Synod Pension Plan Regulations.
4. Payment of the Retirement Child Allowance from the Endowment Fund will be paid in respect of retirements on or after January 1, 1992.

### **5. GENERAL POWERS OF PENSION COMMITTEE**

1. The Pension Committee (serving as the Endowment Committee of The Anglican Church of Canada), or the appointed Endowment Committee of The Anglican Church of Canada may also approve other provisions from the Ordinary Endowment Fund.