



Public Service Pensions Act 2013

2013 CHAPTER 25

Transitional

18 Restriction of existing pension schemes

- (1) No benefits are to be provided under an existing scheme to or in respect of a person in relation to the person's service after the closing date.
- (2) In this Act “existing scheme” means a scheme listed in Schedule 5 (whether made before or after this section comes into force).
- (3) Subsection (1) does not apply—
 - (a) in relation to an existing scheme which is a defined contributions scheme;
 - (b) to benefits excepted by Schedule 5.
- (4) The closing date is—
 - (a) 31 March 2014 for an existing scheme which is a relevant local government scheme, and
 - ^[F1](aa) 31 March 2016 for an existing scheme which is a relevant Agency scheme, and]
 - (b) 31 March 2015 in any other case.

^[F2]This is subject to subsection (7).]

- ^[F3](4A) Subsection (1) does not apply, and is treated as never having applied, in relation to a person's service that is pensionable service under an existing scheme by virtue of—
- (a) section 2(1) of PSPJOA 2022 (remediable service treated as pensionable service under Chapter 1 legacy scheme), or
 - (b) section 42(2) of that Act (remediable service treated as pensionable service under judicial legacy scheme).

For further provision affecting the application of subsection (1), see section 89(1) of that Act.]

- ^[F4](5) Scheme regulations may provide for exceptions to subsection (1) in the case of—

Status: Point in time view as at 10/03/2022.

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act 2013, Cross Heading: Transitional. (See end of Document for details)

- (a) persons who were members of an existing scheme, or who were eligible to be members of such a scheme, immediately before 1 April 2012, and
- (b) such other persons as the regulations may specify, being persons who before that date had ceased to be members of an existing scheme or to be eligible for membership of such a scheme.
- (6) Exceptions under subsection (5) may, in particular, be framed by reference to the satisfaction of a specified condition (for example, the attainment of normal pension age under the existing scheme or another specified age) before a specified date.
- (7) Where an exception to subsection (1) is framed by reference to the satisfaction of a specified condition before a specified date, scheme regulations may also provide for a different closing date for persons in whose case the condition—
- (a) is not satisfied before the specified date, but
- (b) is satisfied no more than 4 years after that date.
- (8) Provision made under subsection (5) or (7) may in particular be made by amending the relevant existing scheme.]
- (9) In subsection (1), the reference to benefits in relation to a person's service includes benefits relating to the person's death in service.
- (10) In subsection (4) [F5—
- “relevant Agency scheme” means regulations under section 1 of the Superannuation Act 1972 which relate to staff of the Secret Intelligence Service or Security Service;]
- relevant local government scheme” means regulations under section 7 of the Superannuation Act 1972 which relate to persons in England and Wales.

Textual Amendments

- F1** S. 18(4)(aa) inserted (10.3.2022 for specified purposes) by [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\)](#), [ss. 96\(2\)\(a\)](#), 131(1)(2)(f)
- F2** Words in s. 18(4) omitted (10.3.2022 for specified purposes) by virtue of [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\)](#), [ss. 88\(2\)\(a\)](#), 131(1)(2)(f)
- F3** S. 18(4A) inserted (10.3.2022 for specified purposes) by [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\)](#), [ss. 88\(2\)\(b\)](#), 131(1)(2)(f)
- F4** S. 18(5)-(8) omitted (10.3.2022 for specified purposes) by virtue of [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\)](#), [ss. 88\(2\)\(c\)](#), 131(1)(2)(f) (with s. 89(1)-(3), 96(6)(7))
- F5** Words in s. 18(10) inserted (10.3.2022 for specified purposes) by [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\)](#), [ss. 96\(2\)\(b\)](#), 131(1)(2)(f)

Modifications etc. (not altering text)

- C1** S. 18(1) excluded (15.8.2014) by [The Public Service \(Civil Servants and Others\) Pensions Regulations 2014 \(S.I. 2014/1964\)](#), reg. 1(2), Sch. 2 para. 10(2)(b), [para. 20\(2\)\(b\)](#)
- C2** S. 18(1) excluded (1.4.2015) by [The Judicial Pensions Regulations 2015 \(S.I. 2015/182\)](#), reg. 1(2), [Sch. 2 para. 10\(2\)\(b\)](#) (with regs. 148, 160)
- C3** S. 18(1) excluded (S.) (1.4.2015) by [The Teachers' Pension Scheme \(Scotland\) Regulations 2014 \(S.S.I. 2014/217\)](#), reg. 1(2)(b), [Sch. 3 para. 7\(2\)](#) (with reg. 177)
- C4** S. 18(1) excluded (1.4.2015) by [The Police Pension Scheme \(Scotland\) Regulations 2015 \(S.S.I. 2015/142\)](#), reg. 1, [Sch. 4 para. 16\(2\)\(b\)](#) (with regs. 4(3), 141(2), (3), 192, 213)
- C5** S. 18(1) excluded (1.4.2015) by [The Police Pension Scheme \(Scotland\) Regulations 2015 \(S.S.I. 2015/142\)](#), reg. 1, [Sch. 4 para. 19\(2\)\(b\)](#) (with regs. 4(3), 141(2), (3), 192, 213)

Status: Point in time view as at 10/03/2022.

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act 2013, Cross Heading: Transitional. (See end of Document for details)

- C6** S. 18(1) excluded (1.4.2015) by [The Police Pension Scheme \(Scotland\) Regulations 2015 \(S.S.I. 2015/142\)](#), [reg. 1](#), [Sch. 4 para. 13\(2\)\(b\)](#) (with regs. 4(3), 141(2), (3), 192, 213)
- C7** S. 18(1) excluded (1.4.2015) by [The Judicial Pensions Regulations 2015 \(S.I. 2015/182\)](#), [reg. 1\(2\)](#), [Sch. 2 para. 6\(2\)\(b\)](#) (with regs. 148, 160)
- C8** S. 18(1) excluded (S.) (1.4.2015) by [The Teachers' Pension Scheme \(Scotland\) Regulations 2014 \(S.S.I. 2014/217\)](#), [reg. 1\(2\)\(b\)](#), [Sch. 3 para. 10\(2\)](#) (with reg. 177)
- C9** S. 18(1) excluded (E.W.) (1.4.2015) by [The National Health Service Pension Scheme \(Transitional and Consequential Provisions\) Regulations 2015 \(S.I. 2015/95\)](#), [regs. 1\(b\)](#), [6](#)
- C10** S. 18(1) excluded (1.4.2015) by [The Firefighters' Pension Scheme \(England\) Regulations 2014 \(S.I. 2014/2848\)](#), [reg. 1\(2\)](#), [Sch. 2 para. 10\(2\)\(b\)](#)

Commencement Information

- I1** S. 18 in force at 28.2.2014 for specified purposes by [S.I. 2014/433](#), [art. 3\(2\)\(f\)](#)
- I2** S. 18 in force at 1.4.2014 for specified purposes by [S.I. 2014/839](#), [art. 3\(2\)\(a\)\(3\)](#)

19 Closure of existing injury and compensation schemes

- (1) Scheme regulations for a scheme under section 1 may secure that no benefits are to be provided under a scheme listed in Schedule 6 that is connected with it.
- (2) Where Schedule 6 specifies particular benefits in relation to a scheme, the power under subsection (1) is exercisable only in relation to those benefits.
- (3) Scheme regulations may provide for exceptions to subsection (1).
- (4) Provision made under this section may in particular be made by amending the connected scheme.

Commencement Information

- I3** [S. 19](#) in force at 28.2.2014 by [S.I. 2014/433](#), [art. 2\(f\)](#)

20 Final salary link

Schedule 7 contains provision for a “final salary link” in relation to schemes to which section 18(1) applies (and see section 31(14)).

Commencement Information

- I4** [S. 20](#) in force at 28.2.2014 by [S.I. 2014/433](#), [art. 2\(g\)](#)

Status:

Point in time view as at 10/03/2022.

Changes to legislation:

There are currently no known outstanding effects for the Public Service Pensions Act 2013,
Cross Heading: Transitional.