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STATUTORY INSTRUMENTS

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**2015 No. 4 (C. 1)**

**PUBLIC SERVICE PENSIONS**

**The Public Service Pensions Act 2013 (Commencement  
No. 6, Saving Provision and Amendment) Order 2015**

*Made - - - - 6th January 2015*

The Treasury make the following Order in exercise of the powers conferred by section 41(2) and (3) of the Public Service Pensions Act 2013<sup>(1)</sup>:

**Citation and interpretation**

1.—(1) This Order may be cited as the Public Service Pensions Act 2013 (Commencement No. 6, Saving Provision and Amendment) Order 2015.

(2) In this Order, “the Act” means the Public Service Pensions Act 2013.

**Commencement of provisions on governance, valuations and employer cost cap**

2.—(1) 1st April 2015 is the day appointed for the coming into force of the provisions of the Act identified in paragraph (2) for the purpose of making scheme regulations to establish schemes for the payment of pensions and other benefits to or in respect of local government workers in England and Wales.

(2) The provisions are—

- (a) section 4 (scheme manager);
- (b) section 5 (pension board);
- (c) section 6 (pension board: information);
- (d) section 7 (scheme advisory board);
- (e) section 11 (valuations); and
- (f) section 12 (employer cost cap).

(3) 1st April 2016 is the day appointed for the coming into force of section 12 of the Act for all remaining purposes.

### **Commencement of provisions on information and records**

3. 1st April 2015 is the day appointed for the coming into force of the following provisions of the Act for the purposes specified—

- (a) section 15 (information about schemes) for all purposes; and
- (b) section 16 (records) for all remaining purposes.

### **Commencement of regulatory oversight and saving provision**

4.—(1) 1st April 2015 is the day appointed for the coming into force of the following provisions of the Act for the purposes specified, subject to paragraph (2)—

- (a) section 17(1) (regulatory oversight) for all remaining purposes; and
- (b) paragraphs 2 to 13, 17, and 19 to 21 of Schedule 4 (regulatory oversight) for all purposes.

(2) A code of practice issued before 1st April 2015 under section 90(2)(a) of the Pensions Act 2004<sup>(2)</sup> relating to what constitutes a “reasonable period” for the purposes of early leaver rights shall continue to have effect, until and to the extent it is revoked, in relation to a public service pension scheme (within the meaning of the Pensions Act 2004).

### **Commencement of provisions relating to public body pension schemes**

5.—(1) 1st April 2015 is the day appointed for the coming into force of the provisions of the Act identified in paragraph (2) for all purposes.

- (2) The provisions are—
  - (a) section 30 (new public body pension schemes);
  - (b) section 31 (restriction of certain existing public body pension schemes);
  - (c) section 32 (existing public body pension schemes: pension age); and
  - (d) Schedule 10 (public bodies whose pension schemes must be restricted).

### **Amendment of the Public Service Pensions Act 2013 (Commencement No. 5) Order 2014**

6.—(1) The Public Service Pensions Act 2013 (Commencement No. 5) Order 2014<sup>(3)</sup> is amended as follows.

(2) In article 3(2) (commencement of provisions on governance, valuations and employer cost cap)—

- (a) in sub-paragraph (d) after “(scheme advisory board);” insert “and”; and
- (b) omit sub-paragraph (f) and the preceding “; and”.

(3) After article 3(2) insert—

“(3) 1st April 2015 is the day appointed for the coming into force of section 12 of the Act (employer cost cap) for all remaining purposes, except for the purpose of making scheme regulations to establish schemes for the payment of pensions and other benefits to or in respect of local government workers.”.

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(2) [2004 c.35](#). The definition of “public service pension scheme” in section 318(1) was inserted by section 17(1) of, and paragraphs 1 and 22(1) and (3) of Schedule 4 to, the Public Service Pensions Act 2013.

(3) [S.I. 2014/1912 \(C.86\)](#).

6th January 2015

*David Evennett*  
*Gavin Barwell*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force certain provisions of the Public Service Pensions Act 2013 (c.25) and makes a saving provision. It also amends an earlier commencement order. This is the sixth commencement order to be made under the Act.

Article 2 commences on 1st April 2015 sections 4 to 7 (governance), section 11 (valuations) and section 12 (employer cost cap) for schemes for local government workers in England and Wales. The effect of this and previous commencement orders is that those sections will come into force on 1st April 2015 for all remaining purposes, except that section 12 will come into force on 1st April 2016 for the final remaining purpose of making scheme regulations for local government workers in Scotland.

Article 3 commences on 1st April 2015 section 15 (information about schemes) and section 16 (records).

Article 4 commences on 1st April 2015 section 17 and Schedule 4 (regulatory oversight) with a saving for codes issued under the Pensions Act 2004 (c.35) before that date in relation to early leavers.

Article 5 commences on 1st April 2015 sections 30 to 32 (public body pension schemes) and Schedule 10 (public bodies whose pension schemes must be restricted).

Article 6 amends the Public Service Pensions Act 2013 (Commencement No. 5) Order 2014 (c.86) (S.I. 2014/1912) so that section 12 (employer cost cap) will not come into force for schemes for local government workers in Scotland on 1st April 2015, as the order originally provided. Instead it will come into force on 1st April 2016 as provided by article 2 of this Order.

This Order will have no effect on the costs of business or the voluntary sector. For that reason no impact assessment has been produced for it.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1	28.02.2014	2014/433 (C.19)
Section 2	28.02.2014	2014/433 (C.19)
Section 3	28.02.2014	2014/433 (C.19)
Section 4 (partly)	28.02.2014	2014/433 (C.19)
Section 4 (partly)	01.04.2014	2014/839 (C.36)
Section 4 (partly)	01.04.2015	2014/1912 (C.86)
Section 5 (partly)	28.02.2014	2014/433 (C.19)
Section 5 (partly)	01.04.2014	2014/839 (C.36)
Section 5 (partly)	01.04.2015	2014/1912 (C.86)
Section 6 (partly)	28.02.2014	2014/433 (C.19)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 6 (partly)	01.04.2014	2014/839 (C.36)
Section 6 (partly)	01.04.2015	2014/1912 (C.86)
Section 7 (partly)	28.02.2014	2014/433 (C.19)
Section 7 (partly)	01.04.2014	2014/839 (C.36)
Section 7 (partly)	01.04.2015	2014/1912 (C.86)
Section 8	28.02.2014	2014/433 (C.19)
Section 9 (1), (2), (3), (4)(b), (5) and (6)	28.02.2014	2014/433 (C.19)
Section 9 (4)(a) (partly)	01.04.2015	2014/839 (C.36)
Section 9 (for all remaining purposes)	01.04.2016	2014/839 (C.36)
Section 10 (partly)	25.06.2013	2013/1518 (C.61)
Section 10 (partly)	28.02.2014	2014/433 (C.19)
Section 10 (partly)	01.04.2014	2014/839 (C.36)
Section 11 (2), (3), and (4) (partly)	01.12.2013	2013/2818 (C.112)
Section 11 (partly)	01.04.2015	2014/1912 (C.36)
Section 12 (2), (3), (4), (5), (8) and (9) (partly)	01.12.2013	2013/2818 (C.112)
Section 12 (2), (3), (4), (5), (8) and (9) (partly)	28.02.2014	2014/433 (C.19)
Section 12 (partly)	01.04.2015	2014/1912 (C.36)
Section 13	02.04.2014	2014/839 (C.36)
Section 14 (2), (3) and (6) (partly)	01.11.2013	2013/2818 (C.112)
Section 14 (for all remaining purposes)	28.02.2014	2014/433 (C.19)
Section 16 (partly)	01.11.2013	2013/2818 (C.112)
Section 17 (1) (partly)	01.11.2013	2013/2818 (C.112)
Section 17 (2) to (5)	01.11.2013	2013/2818 (C.112)
Section 18 (partly)	28.02.2014	2014/433 (C.19)
Section 18 (partly)	01.04.2014	2014/839 (C.36)
Section 19	28.02.2014	2014/433 (C.19)
Section 20	28.02.2014	2014/433 (C.19)
Section 21	01.11.2013	2013/2818 (C.112)
Section 22	28.02.2014	2014/433 (C.19)
Section 23	01.11.2013	2013/2818 (C.112)
Section 24	28.02.2014	2014/433 (C.19)
Section 25	28.02.2014	2014/433 (C.19)
Section 26	28.02.2014	2014/433 (C.19)

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 27 (partly)	01.02.2014	2013/2818 (C.112)
Section 27 (partly)	28.02.2014	2014/433 (C.19)
Section 27 (partly)	01.04.2014	2014/839 (C.36)
Section 28	01.04.2014	2014/839 (C.36)
Section 34	31.07.2014	2014/1912 (C.86)
Section 35	01.11.2013	2013/2818 (C.112)
Section 36	25.06.2013	2013/1518 (C.61)
Section 37	28.02.2014	2014/433 (C.19)
Schedule 1	28.02.2014	2014/433 (C.19)
Schedule 2	28.02.2014	2014/433 (C.19)
Schedule 3	28.02.2014	2014/433 (C.19)
Schedule 4, paragraphs 1, 14 to 16, 18 and 22	01.11.2013	2013/2818 (C.112)
Schedule 5 (partly)	28.02.2014	2014/433 (C.19)
Schedule 5 (partly)	01.04.2014	2014/839 (C.36)
Schedule 6	28.02.2014	2014/433 (C.19)
Schedule 7	28.02.2014	2014/433 (C.19)
Schedule 8, paragraphs 4 and 5	28.02.2014	2014/433 (C.19)
Schedule 8, paragraph 21	01.02.2014	2013/2818 (C.112)
Schedule 8, paragraphs 1 to 3, 6 to 17, 18 to 20 (partly) and 22 to 31	01.04.2014	2014/839 (C.36)