



2014 CHAPTER 2

Public body pension schemes

Power to restrict other existing public body pension schemes

32.—(1) This section applies to any public body pension scheme specified in an order made by the Department of Finance and Personnel and which relates to members or staff of a body, or the holder of an office, so specified (by name or description).

(2) The public authority responsible for the scheme must make provision to secure that no benefits are provided under the scheme to or in respect of a person in relation to the person's service after a date determined by the authority.

(3) An order under subsection (1)—

- (a) must not specify a public body pension scheme which is a defined contributions scheme, and
- (b) must except injury or compensation benefits provided under a scheme which is specified.

(4) The public authority responsible for a scheme to which subsection (2) applies may provide for other exceptions to the provision made under subsection (2) ^{F1}....

(5) Provision made under subsection (2) or (4) may in particular be made by amending the public body pension scheme.

(6) In subsection (2), the reference to benefits in relation to a person's service includes benefits relating to the person's death in service.

(7) If—

- (a) subsection (2) applies to a scheme, and

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act (Northern Ireland) 2014, Section 32. (See end of Document for details)

(b) any of the persons to whom the scheme relates are not eligible for membership of a scheme under section 1,

the public authority responsible for the scheme may establish a new scheme for the payment of pensions or other benefits to or in respect of those persons (and see section 31).

(8) Where a scheme to which subsection (2) applies was established in exercise of a statutory function or other power, the function or power may not be exercised again so as to establish a new defined benefits scheme in relation to the body or office.

(9) In the case of a scheme established by deed of trust, subsections (2) and (4) apply irrespective of the provisions of the deed or the law relating to trusts.

(10) An order under subsection (1) may make consequential or supplementary provision, including in particular provision made by amending any legislation.

(11) An order under subsection (1) is subject to negative resolution.

(12) It is immaterial for the purposes of subsection (1) whether a scheme is made before or after the coming into force of this section.

(13) Schedule 7 contains provision for a “final salary link” in relation to schemes to which subsection (2) applies.

Textual Amendments

- F1** Words in s. 32(4) omitted (10.3.2022 for specified purposes, 1.4.2022 in so far as not already in operation) by virtue of [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\)](#), ss. [88\(6\)](#), [131\(1\)\(2\)\(f\)](#)
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Commencement Information

- II** S. 32 in operation at 1.4.2015 by S.R. 2015/3, [art. 5\(2\)\(b\)](#)

Changes to legislation:

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