

*Draft Order laid before Parliament under section 77(2) of the Deregulation and Contracting Out Act 1994, for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2003 No.**

**CONTRACTING OUT**

**The Contracting Out (Administration of the  
Teachers' Pensions Scheme) Order 2003**

*Made - - - -*

*Coming into force*

Where as a draft of this Order has been laid before Parliament and approved by resolution of each House of Parliament under section 77(2) of the Deregulation and Contracting Out Act 1994(1);

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 69(2) and (4) of that Act(2), hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Contracting Out (Administration of the Teachers' Pensions Scheme) Order 2003 and shall come into force on the day after the day on which it is made.

**Interpretation**

2. In this Order 'the functions' mean the functions conferred on the Secretary of State by regulations made under all or any of—

- (a) sections 9, 12 and 24 of, and Schedule 3 to, the Superannuation Act 1972(3),
- (b) sections 16(2) to (4) and 130(a) of the Pension Schemes Act 1993(4), or
- (c) section 172 of the Pensions Act 1995(5).

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(1) 1994 c. 40.

(2) For the definition of 'Minister' see section 79(1).

(3) 1972 c. 11; section 9 was amended by sections 4(1), 8(3) and 11 of the Pensions (Miscellaneous Provisions) Act 1990 (c. 7) and by paragraph 7 of Schedule 8 to, and section 190 of, the Pension Schemes Act 1993 (c. 48); and section 12 was amended by section 10 of the Pensions (Miscellaneous Provisions) Act 1990.

(4) Section 16(3) was amended by paragraph 28(a) of Schedule 5 to, and section 151 of, the Pensions Act 1995 (c. 26).

(5) Section 172 was amended by S.I. 2001/3649.

### **Contracting out of functions**

3. The functions, or any of them, may be exercised by, or by the employees of, such person (if any) as may be authorised in that behalf by the Secretary of State.

### **Revocation**

4. The Contracting Out (Administration of the Teachers' Superannuation Scheme) Order 1996<sup>(6)</sup> is hereby revoked.

2003

Minister of State  
Department for Education and Skills

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<sup>(6)</sup> S.I. 1996/178.

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## EXPLANATORY NOTE

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

This Order enables the Secretary of State, who has functions conferred on him by regulations made under the Superannuation Act 1972, the Pension Schemes Act 1993 and the Pensions Act 1995 regarding the teachers' pension scheme, to authorise another person, or that person's employees, to carry out on his behalf those functions to such extent as is specified in the authorisation.

This Order revokes the Contracting Out (Administration of the Teachers' Superannuation Scheme) Order 1996. This Order differs from the revoked Order in that it includes the functions conferred by regulations made under section 172 of the Pensions Act 1995.

The current regulations made under sections 9, 12 and 25 of, and Schedule 3 to, the Superannuation Act 1972, sections 16(2) to (4) and 130(a) of the Pension Schemes Act 1993 and section 172 of the Pensions Act 1995 include:

- the Colleges of Education (Compensation) Regulations 1975 (S.I. [1975/1092](#));
- the Teachers (Compensation) (Advanced Further Education) Regulations 1983 (S.I. [1983/856](#));
- the Teachers' Superannuation (Additional Voluntary Contributions) Regulations 1994 (S.I. [1994/2924](#)) as amended by S.I. [1997/3001](#), S.I. [2000/666](#) and S.I. [2000/3028](#);
- the Teachers' Superannuation (Provision of Information and Administrative Expenses etc) Regulations 1996 (S.I. [1996/2282](#)) as amended by S.I. [2001/3649](#).
- the Teachers (Compensation for Redundancy and Premature Retirement) Regulations 1997 (S.I. [1997/311](#)) as amended by S.I. [1998/2256](#), S.I. [1999/608](#) and S.I. [2000/664](#).
- the Teachers' Pensions Regulations 1997 (S.I. [1997/3001](#)) as amended by S.I. [1998/2255](#), S.I. [1999/607](#), S.I. [2000/665](#), S.I. [2000/2431](#), S.I. [2000/3028](#), S.I. [2001/871](#) and S.I. [2002/3058](#);
- the Teachers' Pensions (Employers' Supplementary Contributions) Regulations 2000 (S.I. [2000/502](#)); and
- the Teachers' Pensions (Contributable Salary) Regulations 2000 (S.I. [2000/907](#)).