
Changes to legislation: Railways Act 1993, Paragraph 5 is up to date with all changes known to be in force on or before 28 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 11

PENSIONS

Modifications etc. (not altering text)

- C1** Sch. 11 modified (8.6.2005 for certain purposes and 24.7.2005 in so far as not already in force) by Railways Act 2005 (c. 14), ss. 1, 12, 60, **Sch. 2 para. 9(1)(c)**; S.I. 2005/1444, **art. 2(1)**, Sch. 1; S.I. 2005/1909, **art. 2**, Sch.
- C1** Sch. 11: power to modify conferred (8.6.2005) by virtue of Railways Act 2005 (c. 14), **ss. 1(8)(b), 60**; S.I. 2005/1444, **art. 2(1)**, Sch. 1

Protection of pension rights: meaning of “protected person”

- 5 In this Schedule “protected person” means—
- (a) any person who immediately before the passing of this Act—
 - (i) is an employee of the Board or of a subsidiary of the Board; and
 - (ii) is participating in an existing scheme;
 - (b) any person not falling within paragraph (a) above—
 - (i) who either is, immediately before the passing of this Act, an employee of the Board or of a subsidiary of the Board or has at some earlier time been such an employee;
 - (ii) who has participated in an existing scheme before the passing of this Act; and
 - (iii) who fulfils prescribed conditions;
 - (c) any person who, immediately before the passing of this Act, has pension rights under an existing scheme but is not participating in that scheme;
 - (d) any person who, after the passing of this Act, acquires pension rights—
 - (i) in consequence of the death of a person falling within paragraph (a), (b) or (c) above, and
 - (ii) by virtue of the participation of that other person in an existing scheme, or in an occupational pension scheme from which pension rights of that person have been transferred, whether directly or indirectly, to an existing scheme.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13B(7) inserted by [2024 c. 13 Sch. 30 para. 18\(5\)](#)
- s. 15C(5) inserted by [2024 c. 13 Sch. 30 para. 19\(5\)](#)
- s. 16(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 6(4)(b) (as substituted) by [S.I. 2019/1245 reg. 23](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 67(11) inserted by [2024 c. 13 Sch. 29 para. 10](#)
- s. 145(3)(w) inserted by [2024 c. 13 Sch. 30 para. 20\(b\)](#)
- s. 145(3)(qu) omitted by [2024 c. 13 Sch. 30 para. 20\(a\)](#)
- Sch. 4A para. 10A(7) inserted by [2024 c. 13 Sch. 30 para. 22\(5\)](#)
- Sch. 4A para. 15(5) inserted by [2024 c. 13 Sch. 30 para. 23\(5\)](#)