



Pension Schemes Act 1993

1993 CHAPTER 48

PART IV

PROTECTION FOR EARLY LEAVERS

CHAPTER II

REVALUATION OF ACCRUED BENEFITS (EXCLUDING GUARANTEED MINIMUM PENSIONS)

83 Scope of Chapter II.

- (1) This Chapter applies for the purpose of revaluing—
- (a) [F¹relevant] benefits payable to or in respect of a member of an occupational pension scheme where—
 - (i) his pensionable service ends on or after 1st January 1986;
 - (ii) on the date on which his pensionable service ends (in this Chapter referred to as “the termination date”) he has accrued rights to benefit under the scheme;
 - (iii) the period beginning with the day after the termination date and ending with the date on which he attains normal pension age (in this Chapter referred to as “the pre-pension period”) is at least 365 days; and
 - (iv) in the case of benefit payable to any other person in respect of the member, the member dies after attaining normal pension age; and
 - (b) [F¹relevant] benefits payable to or in respect of a member of a personal pension scheme—
 - (i) in respect of whom contributions to the scheme have ceased to be paid; and
 - (ii) who has accrued rights to benefit under the scheme.

[F²(1A) The following are relevant benefits for the purposes of subsection (1)—

Status: Point in time view as at 01/04/2014.

Changes to legislation: Pension Schemes Act 1993, Section 83 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)

- (a) any benefits payable otherwise than by virtue of rights which are attributable (directly or indirectly) to a pension credit, and
- (b) in the case of a salary related occupational pension scheme, any benefits payable by virtue of such rights, to the extent that the rights involve the member being credited by the scheme with notional pensionable service.]

[^{F3}(1B) The reference in subsection (1)(a)(iii) to normal pension age is to be read, in relation to a person who is an active or deferred member of a scheme under section 1 or 31(7) of the Public Service Pensions Act 2013, as—

- (a) the member's normal pension age within the meaning of that Act, or
- (b) the member's deferred pension age within the meaning of that Act, if that is later.

In this subsection “active member” and “deferred member”, in relation to such a scheme, have the meanings given by section 124(1) of the Pensions Act 1995.]

(2) In calculating 365 days for the purpose of subsection (1)(a)(iii), any day which is 29th February shall be disregarded.

(3) In subsection (1)(b)—

- (a) the reference to a personal pension scheme does not include a scheme which is comprised in an annuity contract made before 4th January 1988; and
- (b) the reference to contributions includes any minimum contributions.

[^{F4}(4) For the purposes of this section, an occupational pension scheme is salary related if—

- (a) it is not a money purchase scheme, and
- (b) it does not fall within a prescribed class.]

Textual Amendments

- F1** Words in s. 83(1) inserted (1.12.2000) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(1), [Sch. 12 para. 31\(2\)](#); S.I. 2000/1047, art. 2(2)(d), Sch. Pt. 4
- F2** S. 83(1A) inserted (1.12.2000) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(1), [Sch. 12 para. 31\(3\)](#); S.I. 2000/1047, art. 2(2)(d), Sch. Pt. 4
- F3** S. 83(1B) inserted (1.4.2014 for specified purposes) by [Public Service Pensions Act 2013 \(c. 25\)](#), s. 41(2), [Sch. 8 para. 20](#) (with [Sch. 11 para. 8](#)); S.I. 2014/839, art. 4(3)
- F4** S. 83(4) inserted (1.12.2000) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(1), [Sch. 12 para. 31\(4\)](#); S.I. 2000/1047, art. 2(2)(d), Sch. Pt. 4

Modifications etc. (not altering text)

- C1** Ss. 83-86 modified (30.12.2005) by [The Occupational Pension Schemes \(Cross-border Activities\) Regulations 2005 \(S.I. 2005/3381\)](#), regs. 1, 14, [Sch. 2 para. 3](#)

Commencement Information

- I1** Ss. 1-187 in force at 7.2.1994 by [S.I. 1994/86](#), [art. 2](#)

Status:

Point in time view as at 01/04/2014.

Changes to legislation:

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