



Transport Act 2000

2000 CHAPTER 38

PART IV

RAILWAYS

CHAPTER II

OTHER PROVISIONS ABOUT RAILWAYS

Pensions

245 Amendments of pension protection provisions.

- (1) In paragraph 6(2)(a)(ii) of Schedule 11 to the ^{M1}Railways Act 1993 (power to make order providing for pension rights of protected persons to be no less favourable as a result of a transfer of pension rights), after “rights” insert “ (whether made between occupational pension schemes or sections of an occupational pension scheme or otherwise) ”.
- (2) The ^{M2}Railway Pensions (Protection and Designation of Schemes) Order 1994 is amended as follows.
- (3) In article 6 (transfers etc.), insert at the end—
 - “(9) In paragraphs (2), (3), (5), (7)(a) and (b)(i) and (8) references to an occupational pension scheme include a section of such a scheme.”
- (4) In article 7(4) (payments on transfers), insert at the end (but not as part of subparagraph (b))—
 - “and in this paragraph references to an occupational pension scheme include a section of such a scheme.”
- (5) In article 9 (circumstances in which breaks in continuity of employment are disregarded)—

Changes to legislation: Transport Act 2000, Section 245 is up to date with all changes known to be in force on or before 04 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

- (a) in paragraph (2), omit “, except to the extent specified in paragraph (3),” and “relevant” (in both places), and
 - (b) in paragraph (3), for “this article” substitute “ paragraph (1) ”.
- (6) In article 11(4) (activities to be regarded as the railway industry)—
- (a) after “of Schedule 11 are” insert “ the activities of the Authority or any subsidiary of the Authority and activities consisting of ”, and
 - (b) for “in each case” substitute “ in each of the cases in sub-paragraphs (a) to (d) ”.
- (7) Omit paragraphs 13 and 14 (arbitration).
- (8) The amendments made by subsections (3) to (7) shall be treated as if made by an order made under Schedule 11 to the ^{M3}Railways Act 1993 (and, accordingly, may be varied or revoked by an order so made).

Commencement Information

- II** S.245 wholly in force at 1.2.2001: S.245(1)(3)-(5) in force retrospectively at 10.05.2000; S.245(2)(8) so far as relating to (3)-(5) in force retrospectively at 10.05.2000, otherwise S. 245 not in force, see S.275(5). S. 245 in force at 1.2.2001 in so far as not already in force by [S.I. 2001/57](#), [art. 3\(1\)](#), [Sch. 2 Pt. I](#) (subject to transitional provision and saving in [Sch. 2 Pt. II](#))

Marginal Citations

- M1** [1993 c. 43](#).
M2 [S.I. 1994/1432](#).
M3 [1993 c. 43](#).

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

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

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

- s. 146(1)(defn.)(a)(b) by [2000 c. 38 s. 274 Sch. 31 Pt. 2](#)
- s. 19(2)(aa) inserted by [S.I. 2019/93, Sch. 1 para. 9\(1C\)\(b\)](#) (as inserted) by [S.I. 2019/1245 reg. 25](#) (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. 131A(2)(a) words omitted by [2017 c. 21 Sch. 2 para. 13\(a\)\(i\)](#)
- s. 131A(2)(b) omitted by [2017 c. 21 Sch. 2 para. 13\(a\)\(ii\)](#)
- s. 131A(4) omitted by [2017 c. 21 Sch. 2 para. 13\(b\)](#)
- s. 131A(5)(b) words omitted by [2017 c. 21 Sch. 2 para. 13\(c\)\(i\)](#)
- s. 131A(5)(c) words omitted by [2017 c. 21 Sch. 2 para. 13\(c\)\(ii\)](#)
- s. 132B(1)(a) omitted by [2017 c. 21 Sch. 2 para. 19](#)
- [Sch. 16 para. 34\(4\)\(a\)](#)[para. 34\(4\)\(b\)\(c\)](#) repealed by [2005 c. 14 Sch. 13 Pt. 1](#)