

Status: Point in time view as at 24/10/2011.

Changes to legislation: There are currently no known outstanding effects for the Constitutional Reform and Governance Act 2010, MPs' pension scheme. (See end of Document for details)

SCHEDULES

SCHEDULE 6 **U.K.**

PARLIAMENTARY AND OTHER PENSIONS

PART 1 **U.K.**

PARLIAMENTARY AND OTHER PENSIONS

MPS' PENSION SCHEME

MPs' pension scheme

- 12 (1) The IPSA may make a scheme containing provision about the application of the assets of the Fund in or towards the provision of pensions for or in respect of persons with service as a member of the House of Commons, in respect of that service.
- (2) A scheme under this paragraph may not provide for the application of any of the assets of the Fund in or towards the provision of pensions for or in respect of persons with service as Lord Chancellor.
- (3) A scheme under this paragraph may not provide for the application of any of the assets of the Fund in or towards the provision of pensions for or in respect of a person (“P”) with service as—
- (a) Prime Minister and First Lord of the Treasury, or
 - (b) Speaker of the House of Commons.
- (4) Sub-paragraph (3) does not apply if P elects, in accordance with provision made by the scheme, to contribute to the Fund out of P's salary as a member of the House of Commons while holding the office of Prime Minister and First Lord of the Treasury or Speaker of the House of Commons.
- (5) The provision mentioned in sub-paragraph (4) may not provide for a pension payable under the scheme for or in respect of P to be calculated by reference to service as a member of the House of Commons before 28 February 1991.

Commencement Information

II Sch. 6 para. 12 in force at 24.10.2011 by [S.I. 2011/2485](#), [art. 2\(1\)\(2\)\(b\)\(i\)](#) (with [art. 4](#))

Meaning of “service as a member of the House of Commons”

- 13 (1) For the purposes of this Schedule a person is to be treated as in service as a member of the House of Commons at any time if at that time a salary is or was payable to the person under—
- (a) section 4 of the Parliamentary Standards Act 2009, or

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- (b) in relation to a time before that section was in force, the resolutions of the House of Commons then in force relating to the remuneration of its members.
- (2) For the purposes of this Schedule service as a member of the House of Commons includes service as the holder of a qualifying office or position.
- (3) In relation to a time when a determination under section 4(4) of the Parliamentary Standards Act 2009 is in effect a “qualifying office or position” means an office or position in respect of which, because of section 4A(2) of that Act, a higher salary is payable than the salary payable to members of the House of Commons generally.
- (4) In relation to a time before the first determination under section 4(4) of the Parliamentary Standards Act 2009 comes into effect a “qualifying office or position” means—
 - (a) the office of Chairman of Ways and Means and the office of Deputy Chairman of Ways and Means,
 - (b) an office or position in respect of which, under the resolutions of the House of Commons then in force relating to the remuneration of its members, a higher salary was payable than the salary payable to members of the House of Commons generally.

Commencement Information

I2 Sch. 6 para. 13 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(i)

MPs' pension scheme: further provision

- 14 (1) A scheme under paragraph 12 may in particular—
- (a) include any or all of the provisions specified in paragraphs 24 to 32, except for—
 - (i) the provision specified in paragraph 26(1), unless with the consent of the trustees of the Fund,
 - (ii) the provision specified in paragraph 31, unless with the consent of the trustees of the Fund, and
 - (iii) the provision specified in paragraph 29(2),
 - (b) make provision which has effect from a date earlier than the date the scheme is made,
 - (c) make provision in relation to service before the passing of this Act,
 - (d) make different provision in relation to different cases, circumstances or persons, and
 - (e) make such incidental, consequential and transitional provision (other than provision modifying an enactment or subordinate legislation) as the IPSA considers appropriate.
- (2) In sub-paragraph (1)(e) the reference to subordinate legislation does not include a scheme under paragraph 12.

Commencement Information

I3 Sch. 6 para. 14 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(i)

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Procedure for MPs' pension scheme

- 15 (1) Before making a scheme under paragraph 12 the IPSA must consult—
- (a) the Treasury,
 - (b) the Minister for the Civil Service,
 - (c) the trustees of the Fund,
 - (d) persons the IPSA considers to represent those likely to be affected by the scheme,
 - (e) the Government Actuary,
 - (f) the Review Body on Senior Salaries, and
 - (g) any other person the IPSA considers appropriate.
- (2) The IPSA must send to the Speaker of the House of Commons for laying before the House of Commons—
- (a) any representations made to it by the trustees of the Fund in response to consultation under this paragraph,
 - (b) any scheme made by it under paragraph 12, and
 - (c) a statement of the reasons for making the scheme.
- (3) When the scheme and the statement of reasons have been laid, the IPSA must publish them in a way it considers appropriate.
- (4) The reference in sub-paragraph (1)(f) to the Review Body on Senior Salaries—
- (a) if the name of the body is changed, is to be treated as a reference to the body by its new name, and
 - (b) if the functions of the body (or substantially corresponding functions) become functions of a different body, is to be treated as a reference to the body by which those functions are exercisable.
- (5) Any question arising under sub-paragraph (4) is to be determined by the Speaker of the House of Commons.

Commencement Information

I4 Sch. 6 para. 15 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(i)

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