



Superannuation Act 2010

2010 CHAPTER 37

1 Consents required for civil service compensation scheme modifications

(1) Section 2 of the Superannuation Act 1972 is amended as follows.

(2) In subsection (3), at the beginning insert “Subject to subsection (3A) below,”.

(3) After subsection (3) insert—

“(3A) Subsection (3) above does not apply to a provision which would have the effect of reducing the amount of a compensation benefit except in so far as the compensation benefit is one provided in respect of a loss of office or employment which is the consequence of—

- (a) a notice of dismissal given before the coming into operation of the scheme which would have that effect, or
- (b) an agreement made before the coming into operation of that scheme.

(3B) In this section—

“compensation benefit” means so much of any pension, allowance or gratuity as is provided under the civil service compensation scheme by way of compensation to or in respect of a person by reason only of the person’s having suffered loss of office or employment;

“the civil service compensation scheme” means so much of any scheme under the said section 1 (whenever made) as provides by virtue of subsection (2) above for benefits to be provided by way of compensation to or in respect of persons who suffer loss of office or employment.

(3C) In subsection (3B) above a reference to suffering loss of office or employment includes a reference to suffering loss or diminution of emoluments as a consequence of suffering loss of office or employment.”

(4) The amendments made by this section apply in relation to reductions to which effect is given by a scheme made under section 1 of the 1972 Act after the coming into force of this section.

(5) Subsection (6) applies if—

Status: This is the original version (as it was originally enacted).

- (a) a scheme under section 1 of the 1972 Act is made after this section comes into force, and
 - (b) consultation on the proposed scheme took place to any extent before this section came into force.
- (6) The fact that the amendments made by this section were not in force when that consultation took place does not affect the question whether the consultation satisfied the requirements of section 1(3) of the 1972 Act.