



Public Service Pensions Act 2013

CHAPTER 25

PUBLIC SERVICE PENSIONS ACT 2013

Establishment of new schemes

- 1 Schemes for persons in public service
- 2 Responsible authority for schemes
- 3 Scheme regulations

Governance

- 4 Scheme manager
- 5 Pension board
- 6 Pension board: information
- 7 Scheme advisory board

Design

- 8 Types of scheme
- 9 Revaluation
- 10 Pension age

Cost control

- 11 Valuations
- 12 Employer cost cap
- 13 Employer contributions in funded schemes

Administration

- 14 Information about benefits
- 15 Information about schemes
- 16 Records

Status: Point in time view as at 01/11/2013.

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act 2013. (See end of Document for details)

17 Regulatory oversight

Transitional

- 18 Restriction of existing pension schemes
- 19 Closure of existing injury and compensation schemes
- 20 Final salary link

Procedure for scheme regulations

- 21 Consultation
- 22 Procedure for protected elements
- 23 Procedure for retrospective provision
- 24 Other procedure

New schemes: supplementary

- 25 Extension of schemes
- 26 Non-scheme benefits
- 27 Consequential and minor amendments

Existing schemes: supplementary

- 28 Existing local government schemes
- 29 Existing schemes for civil servants: extension of access

Public body pension schemes

- 30 New public body pension schemes
- 31 Restriction of certain existing public body pension schemes
- 32 Existing public body pension schemes: pension age

Parliamentary and other pension schemes

- 33 Great offices of state
- 34 Parliamentary and other pension schemes: pension age
- 35 Members of the European Parliament

Review

- 36 Defence Fire and Rescue Service and Ministry of Defence Police: review

General

- 37 General interpretation
- 38 Regulations, orders and directions

Final

- 39 Financial provision
- 40 Extent
- 41 Commencement
- 42 Short title

Status: Point in time view as at 01/11/2013.

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act 2013. (See end of Document for details)

SCHEDULES

SCHEDULE 1 — Persons in public service: definitions

Civil servants

- 1 In this Act, “civil servants” means persons employed in the...

Judiciary

- 2 (1) In this Act, “the judiciary” means holders of an...

Local government workers

- 3 (1) In this Act, “local government workers” means persons employed...

Teachers

- 4 In this Act, “teachers” includes persons who are employed otherwise...

Health service workers

- 5 (1) In this Act, “health service workers” means persons engaged...

Fire and rescue workers

- 6 In this Act, “fire and rescue workers” means persons employed...

Police forces

- 7 In this Act “members of a police force”—

Armed forces

- 8 In this Act, “the armed forces” means the naval, military...

Transitional provision

- 9 In relation to a time before the coming into force...

- 10 In relation to a time before the coming into force...

SCHEDULE 2 — Responsible authorities

Civil servants and judiciary

- 1 Scheme regulations for civil servants may be made by the...

- 2 (1) Scheme regulations for the judiciary may be made by...

Local government workers

- 3 Scheme regulations for local government workers may be made by—...

Teachers

- 4 Scheme regulations for teachers may be made by—

Status: Point in time view as at 01/11/2013.

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act 2013. (See end of Document for details)

Health service workers

- 5 Scheme regulations for health service workers may be made by—...

Fire and rescue workers

- 6 Scheme regulations for fire and rescue workers may be made...

Police forces

- 7 Scheme regulations for members of a police force may be...

Armed forces

- 8 Scheme regulations for the armed forces may be made by...

SCHEDULE 3 — Scope of scheme regulations: supplementary matters

- 1 Eligibility and admission to membership. This includes—
- 2 The benefits which must or may be paid under the...
- 3 The persons to whom benefits under the scheme are payable....
- 4 The conditions subject to which benefits are payable.
- 5 The assignment of benefits, including restrictions on assignment.
- 6 The forfeiture or suspension of benefits.
- 7 The recovery of overpaid benefits.
- 8 The exclusion of double recovery of compensation or damages. This...
- 9 Contributions, including— (a) the making of contributions by employers and...
- 10 The payment or receipt of transfer values or other lump...
- 11 Pension funds (for schemes which have them). This includes the...
- 12 The administration and management of the scheme, including—
- 13 The delegation of functions under scheme regulations, including—
- 14 The payment by an employer of— (a) any costs relating...
- 15 The resolution of disputes and appeals (including the referral to...

SCHEDULE 4 — Regulatory oversight

- 1 The Pensions Act 2004 is amended as follows.
- 2 In section 11 (annual reports), in subsection (3), at the...
- 3 (1) Section 13 (improvement notices) is amended as follows.
- 4 After section 14 there is inserted— Appointment of skilled person...
- 5 (1) In section 17 (power of the Regulator to recover...
- 6 In section 70 (duty to report breaches of the law),...
- 7 After section 70 there is inserted— Reporting late payment of...
- 8 (1) Section 71 (reports by skilled persons) is amended as...
- 9 In section 72 (provision of information), in subsection (2), after...
- 10 In section 73 (inspection of premises), in subsection (2)—
- 11 In section 89 (reports), at the end there is inserted—...
- 12 After section 89 there is inserted— Reports about misappropriation etc...
- 13 (1) Section 90 (codes of practice) is amended as follows....
- 14 After section 90 there is inserted— Codes of practice: public...
- 15 (1) Section 91 (procedure for codes) is amended as follows....
- 16 In section 92 (revocation of codes), in subsection (1), after...
- 17 In section 93 (procedure for regulatory functions), in subsection (2),...
- 18 In section 154 (requirement to wind up schemes with sufficient...
- 19 After section 248 there is inserted— Requirement for knowledge and...

Status: Point in time view as at 01/11/2013.

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act 2013. (See end of Document for details)

- 20 In section 249A (requirement for internal controls), in subsection (3)
—...
- 21 After section 249A there is inserted— Requirement for internal
controls:...
- 22 (1) Section 318 (interpretation) is amended as follows.

SCHEDULE 5 — Existing pension schemes

Civil servants

- 1 A scheme under section 1 of the Superannuation Act 1972....

Judiciary

- 2 A scheme constituted by section 20 of the Sheriff Courts...
3 A scheme constituted by paragraph 23 of Schedule 9 to...
4 A scheme constituted by or made under any provision of...
5 A scheme constituted by or made under any provision of...
6 A scheme constituted by or made under any provision of...
7 A scheme under paragraph 7A of Schedule 10 to the...
8 A scheme constituted by or made under any provision of...
9 A scheme constituted by paragraph 9 of Schedule 4 to...
10 A scheme constituted by or made under any provision of...
11 A scheme constituted by paragraph 4(1) of Schedule 1 to...
12 A scheme constituted by or made under paragraph 6 of...
13 A scheme constituted by or made under paragraph 9 of...
14 A scheme constituted by paragraph 2(1)(b) of Schedule 2 to...
15 A scheme constituted by paragraph 6(3) of Schedule 11 to...

Local government workers

- 16 A scheme constituted by paragraph 2 of Schedule 1 to...
17 Regulations under section 7 of the Superannuation Act 1972.
Exception:...

Teachers

- 18 Regulations under section 9 of the Superannuation Act 1972.
Exception:...

Health service workers

- 19 Regulations under section 10 of the Superannuation Act 1972.
Exception:...

Fire and rescue workers

- 20 A scheme under section 26 of the Fire Services Act...
21 A scheme under section 34 of the Fire and Rescue...

Members of police forces

- 22 Regulations under section 1 of the Police Pensions Act 1976....
23 A scheme under section 48 of the Police and Fire...

Status: Point in time view as at 01/11/2013.

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act 2013. (See end of Document for details)

Armed forces

- 24 The scheme constituted by the Royal Warrant of 19 December...
- 25 An Order in Council under section 3 of the Naval...
- 26 An order under section 2 of the Pensions and Yeomanry...
- 27 An order under section 2 of the Air Force (Constitution)...
- 28 Orders or regulations under section 4 of the Reserve Forces...
- 29 (1) A scheme under section 1(1) of the Armed Forces...

SCHEDULE 6 — Existing injury and compensation schemes

Civil servants

- 1 A scheme under section 1 of the Superannuation Act 1972....

Judiciary

- 2 A scheme under paragraph 7A of Schedule 10 to the...
- 3 A scheme constituted by or made under Part 3 of...
- 4 A scheme constituted by section 11(b) of the Judicial Pensions...

Local government workers

- 5 Regulations under section 7 of the Superannuation Act 1972.
Specified...

Teachers

- 6 Regulations under section 9 of the Superannuation Act 1972.
Specified...

Health service workers

- 7 Regulations under section 10 of the Superannuation Act 1972.
Specified...

Fire and rescue workers

- 8 A scheme under section 34 of the Fire and Rescue...

Members of police forces

- 9 Regulations under section 1 of the Police Pensions Act 1976....
- 10 A scheme under section 48 of the Police and Fire...

Armed forces

- 11 The scheme constituted by the Royal Warrant of 19 December...
- 12 An Order in Council under section 3 of the Naval...
- 13 An order under section 2 of the Pensions and Yeomanry...
- 14 An order under section 2 of the Air Force (Constitution)...
- 15 An order or regulations under section 4 of the Reserve...
- 16 (1) A scheme under section 1(1) of the Armed Forces...
- 17 A scheme under section 1(2) of the Armed Forces (Pensions...

Compensation schemes for loss of office etc

- 18 Regulations under section 24 of the Superannuation Act 1972.

Status: Point in time view as at 01/11/2013.

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act 2013. (See end of Document for details)

SCHEDULE 7 — Final salary link

Persons who remain in an old scheme for past service

- 1 (1) This paragraph applies in a case where—

Persons whose benefits under an old scheme are transferred to another closed scheme

- 2 (1) This paragraph applies in a case where—

Continuity of employment

- 3 (1) For the purposes of paragraphs 1(2)(a) and 2(2)(a), there...

Movement between new schemes

- 4 Where the condition in sub-paragraph (1)(b) of paragraph 1 or...

Final salary link not to apply again to a pension in payment

- 5 (1) Scheme regulations may provide that where a pension in...

SCHEDULE 8 — Consequential and minor amendments

County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.))

- 1 In section 116 of the County Courts Act (Northern Ireland)...

District Judges (Magistrates' Courts) Pensions Act (Northern Ireland) 1960 (c. 2 (N.I.))

- 2 In section 2 of the District Judges (Magistrates' Courts) Pensions...

Sheriffs' Pensions (Scotland) Act 1961 (c. 2)

- 3 In section 1 of the Sheriffs' Pensions (Scotland) Act 1961,...

Pensions (Increase) Act 1971 (c. 56)

- 4 After section 8 of the Pensions (Increase) Act 1971 there...
5 (1) Schedule 2 to the Pensions (Increase) Act 1971 (official...

Superannuation Act 1972 (c. 11)

- 6 The Superannuation Act 1972 is amended as follows.
7 In section 1 (superannuation schemes as respects civil servants, etc),...
8 In section 7 (superannuation of persons employed in local government...
9 In section 9 (superannuation of teachers), after subsection (1) there...
10 In section 10 (superannuation of persons engaged in health services,...
11 In section 24 (compensation for loss of office, etc), after...

Police Pensions Act 1976 (c. 35)

- 12 In section 1 of the Police Pensions Act 1976 (police...

House of Commons (Administration) Act 1978 (c. 36)

- 13 In section 2 of the House of Commons (Administration) Act...

Status: Point in time view as at 01/11/2013.

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act 2013. (See end of Document for details)

Judicial Pensions Act 1981 (c. 20)

- 14 In the Judicial Pensions Act 1981, before section 29A there...

Local Government and Housing Act 1989 (c. 42)

- 15 In section 13 of the Local Government and Housing Act...

Judicial Pensions and Retirement Act 1993 (c. 8)

- 16 In section 1 of the Judicial Pensions and Retirement Act...
17 In section 11 of that Act (provision against pensions under...

Pension Schemes Act 1993 (c. 48)

- 18 The Pension Schemes Act 1993 is amended as follows.
19 (1) Section 71 (short service benefit) is amended as follows....
20 In section 83 (scope of Chapter 2: revaluation of accrued...

Merchant Shipping Act 1995 (c. 21)

- 21 (1) Section 214 of the Merchant Shipping Act 1995 (pension...

Police Act 1996 (c. 16)

- 22 The Police Act 1996 is amended as follows.
23 In section 50 (regulations for police forces), after subsection (2)...
24 (1) Section 51 (regulations for special constables) is amended as...
25 In section 52 (regulations for police cadets), after subsection (1)...

Human Rights Act 1998 (c. 42)

- 26 In Schedule 4 to the Human Rights Act 1998 (judicial...

Fire and Rescue Services Act 2004 (c. 21)

- 27 In section 34 of the Fire and Rescue Services Act...

Armed Forces (Pensions and Compensation) Act 2004 (c. 32)

- 28 In section 1 of the Armed Forces (Pensions and Compensation)...

Constitutional Reform Act 2005 (c. 4)

- 29 In Schedule 7 to the Constitutional Reform Act 2005 (protected...

Parliament (Joint Departments) Act 2007 (c. 16)

- 30 In section 3 of the Parliament (Joint Departments) Act 2007...

Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)

- 31 In Schedule 4 to the Legal Aid, Sentencing and Punishment...

SCHEDULE 9 — Existing schemes for civil servants: extension of access

- 1 The Superannuation Act 1972 is amended as follows.
2 In section 1 (superannuation schemes as respects civil servants, etc),...
3 After section 1 there is inserted— List of employments and...

Status: Point in time view as at 01/11/2013.

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act 2013. (See end of Document for details)

SCHEDULE 10 — Public bodies whose pension schemes must be restricted

- 1 Arts and Humanities Research Council.
- 2 Biotechnology and Biological Sciences Research Council.
- 3 Civil Nuclear Police Authority.
- 4 Commissioners of Irish Lights.
- 5 Economic and Social Research Council.
- 6 Engineering and Physical Sciences Research Council.
- 7 Natural Environment Research Council.
- 8 Commissioners of Northern Lighthouses.
- 9 Science and Technology Facilities Council.
- 10 Secret Intelligence Service.
- 11 Security Service.
- 12 Technology Strategy Board.
- 13 Trinity House Lighthouse Service.
- 14 United Kingdom Atomic Energy Authority.

SCHEDULE 11 — Prime Minister, Lord Chancellor and Commons Speaker

Extension of MPs' and Ministerial pension schemes

- 1 (1) Schedule 6 to the Constitutional Reform and Governance Act...
- 2 In section 4 of the Ministerial and other Pensions and...

Lord Chancellor's salary

- 3 (1) The Ministerial and other Salaries Act 1975 is amended...

Closure of existing arrangements

- 4 The Lord Chancellor's Pension Act 1832 is repealed.
- 5 Sections 26 to 28 of the Parliamentary and other Pensions...
- 6 In the Judicial Pensions Act 1981— (a) in section 16...
- 7 The provisions listed in the following table (which includes spent...

Saving and transitional

- 8 (1) Subject to sub-paragraph (2), this Schedule does not have...

Status:

Point in time view as at 01/11/2013.

Changes to legislation:

There are currently no known outstanding effects for the Public Service Pensions Act 2013.