

*Status: Point in time view as at 25/04/2013.*

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

## SCHEDULES

VALID FROM 28/02/2014

### SCHEDULE 1

Section 1(3)

#### PERSONS IN PUBLIC SERVICE: DEFINITIONS

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VALID FROM 28/02/2014

### SCHEDULE 2

Section 2(1)

#### RESPONSIBLE AUTHORITIES

##### *Civil servants and judiciary*

- 1 Scheme regulations for civil servants may be made by the Minister for the Civil Service.
- 2 (1) Scheme regulations for the judiciary may be made by the Lord Chancellor.
- (2) Before making scheme regulations in relation to an office with a jurisdiction exercised exclusively in relation to Scotland, the Lord Chancellor must consult the Secretary of State.

##### *Local government workers*

- 3 Scheme regulations for local government workers may be made by—
- (a) the Secretary of State, in or as regards England and Wales;
  - (b) the Scottish Ministers, in or as regards Scotland.

##### *Teachers*

- 4 Scheme regulations for teachers may be made by—
- (a) the Secretary of State, in or as regards England and Wales;
  - (b) the Scottish Ministers, in or as regards Scotland.

##### *Health service workers*

- 5 Scheme regulations for health service workers may be made by—
- (a) the Secretary of State, in or as regards England and Wales;
  - (b) the Scottish Ministers, in or as regards Scotland.

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*Fire and rescue workers*

- 6 Scheme regulations for fire and rescue workers may be made by—
  - (a) the Secretary of State, in or as regards England;
  - (b) the Welsh Ministers, in or as regards Wales;
  - (c) the Scottish Ministers, in or as regards Scotland.

*Police forces*

- 7 Scheme regulations for members of a police force may be made by—
  - (a) the Secretary of State, in or as regards England and Wales;
  - (b) the Scottish Ministers, in or as regards Scotland.

*Armed forces*

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

VALID FROM 28/02/2014

SCHEDULE 3

Section 3(2)(a)

SCOPE OF SCHEME REGULATIONS: SUPPLEMENTARY MATTERS

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VALID FROM 01/11/2013

SCHEDULE 4

Section 17(1)

REGULATORY OVERSIGHT

.....

VALID FROM 28/02/2014

SCHEDULE 5

Section 18

EXISTING PENSION SCHEMES

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## SCHEDULE 6

Section 19

### EXISTING INJURY AND COMPENSATION SCHEMES

#### *Civil servants*

- 1 A scheme under section 1 of the Superannuation Act 1972.  
*Specified benefits:* injury benefits and compensation benefits

#### *Judiciary*

- 2 A scheme under paragraph 7A of Schedule 10 to the Rent Act 1977.  
*Specified benefits:* injury benefits and compensation benefits
- 3 A scheme constituted by or made under Part 3 of Schedule 1 to the Judicial Pensions Act 1981.
- 4 A scheme constituted by section 11(b) of the Judicial Pensions Act 1981.

#### *Local government workers*

- 5 Regulations under section 7 of the Superannuation Act 1972.  
*Specified benefits:* injury benefits

#### *Teachers*

- 6 Regulations under section 9 of the Superannuation Act 1972.  
*Specified benefits:* injury benefits

#### *Health service workers*

- 7 Regulations under section 10 of the Superannuation Act 1972.  
*Specified benefits:* injury benefits

#### *Fire and rescue workers*

- 8 A scheme under section 34 of the Fire and Rescue Services Act 2004.  
*Specified benefits:* injury benefits and compensation benefits

#### *Members of police forces*

- 9 Regulations under section 1 of the Police Pensions Act 1976.  
*Specified benefits:* injury benefits

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10	A scheme under section 48 of the Police and Fire Reform (Scotland) Act 2012 (asp 8).  <i>Specified benefits:</i> injury benefits and compensation benefits  <i>Armed forces</i>
11	The scheme constituted by the Royal Warrant of 19 December 1949 (see Army Order 151 of 1949).  <i>Specified benefits:</i> injury benefits
12	An Order in Council under section 3 of the Naval and Marine Pay and Pensions Act 1865.  <i>Specified benefits:</i> injury benefits
13	An order under section 2 of the Pensions and Yeomanry Pay Act 1884.  <i>Specified benefits:</i> injury benefits
14	An order under section 2 of the Air Force (Constitution) Act 1917.  <i>Specified benefits:</i> injury benefits
15	An order or regulations under section 4 of the Reserve Forces Act 1996 containing provision made under section 8 of that Act.  <i>Specified benefits:</i> injury benefits and compensation benefits
16	(1) A scheme under section 1(1) of the Armed Forces (Pensions and Compensation) Act 2004.  <i>Specified benefits:</i> injury benefits and compensation benefits  (2) For the purposes of sub-paragraph (1), “compensation benefits” includes benefits by way of payments for resettlement or retraining.
17	A scheme under section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004.  <i>Compensation schemes for loss of office etc</i>
18	Regulations under section 24 of the Superannuation Act 1972.

VALID FROM 28/02/2014

SCHEDULE 7

Sections 20 and 31

FINAL SALARY LINK

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VALID FROM 01/02/2014

SCHEDULE 8

Section 27

CONSEQUENTIAL AND MINOR AMENDMENTS

SCHEDULE 9

Section 29

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), after subsection (4) there is inserted—
  - “(4A) This section also applies to persons serving in employment or in an office, not being service in employment or in an office of a kind mentioned in subsection (4), where the employment or office is specified in a list produced for the purposes of this subsection (see section 1A).”
- 3 After section 1 there is inserted—

**“1A List of employments and offices for purposes of section 1(4A)**

- (1) The Minister may specify an employment or office in a list produced for the purposes of section 1(4A) if subsection (2), (3) or (4) applies in relation to the employment or office.
- (2) This subsection applies to an employment or office if—
  - (a) at any time on or after the commencement of this section, the employment or office ceases to be of a kind mentioned in section 1(4), and
  - (b) immediately before that time, persons serving in the employment or office are, or are eligible to be, members of a scheme under section 1 by virtue of section 1(4).
- (3) This subsection applies to an employment or office if—
  - (a) at any time before the commencement of this section, the employment or office ceased to be of a kind mentioned in section 1(4), and
  - (b) at that time, persons serving in the employment or office ceased to be members of a scheme under section 1 or to be eligible for membership of such a scheme.
- (4) This subsection applies to an employment or office if—
  - (a) it is of a description prescribed by regulations, and
  - (b) the Minister determines that it is appropriate for it to be specified for the purposes of section 1(4A).

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- (5) The power to specify an employment or office in reliance on subsection (4) may be exercised so as to have retrospective effect.
- (6) The Minister—
- (a) may at any time amend a list produced under this section, and
  - (b) must publish the list (and any amendments to it).
- (7) The published list must comply with such requirements, and contain such information, as may be prescribed by regulations.
- (8) Regulations made under this section must be made by the Minister by statutory instrument; and an instrument containing such regulations is subject to annulment in pursuance of a resolution of either House of Parliament.”

VALID FROM 01/04/2015

SCHEDULE 10

Section 31(1)

PUBLIC BODIES WHOSE PENSION SCHEMES MUST BE RESTRICTED

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SCHEDULE 11

Section 33

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 2010 (parliamentary and other pensions) is amended as follows.
- (2) Paragraph 12(2) to (5) (exclusion from MPs' scheme of persons with service as Lord Chancellor, Prime Minister or Commons Speaker) is repealed.
- (3) In paragraph 16 (Ministers' etc pension scheme)—
- (a) in sub-paragraph (2), after paragraph (b) there is inserted—
    - “(ba) Lord Chancellor,
    - (bb) Speaker of the House of Commons,”;
  - (b) sub-paragraph (3) (exclusion from scheme of persons with service as Lord Chancellor, Prime Minister or Commons Speaker) is repealed.
- 2 In section 4 of the Ministerial and other Pensions and Salaries Act 1991 (grants to persons ceasing to hold ministerial and other offices), in subsection (6)—
- (a) in paragraph (a), “, other than that of Prime Minister and First Lord of the Treasury,” is repealed;
  - (b) after paragraph (ba) there is inserted—
    - “(bb) the office of Lord Chancellor;

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(bc) the office of Speaker of the House of Commons;”.

*Lord Chancellor's salary*

- 3 (1) The Ministerial and other Salaries Act 1975 is amended as follows.
- (2) In section 1 (salaries), in subsection (2), for the words from “at such rate” to the end there is substituted “of—
- (a) £68,827, where the Lord Chancellor is a member of the House of Commons;
- (b) otherwise, £101,038.”
- (3) In that section, after subsection (5) there is inserted—
- “(6) Where a person who holds office as Lord Chancellor (and to whom a salary is accordingly payable under subsection (2)) is also the holder of one or more other offices in respect of which a salary is payable under this section, he shall only be entitled to one of those salaries.
- (7) If, in the case of a person mentioned in subsection (6), there is a difference between the salaries payable in respect of the offices held by him, the office in respect of which a salary is payable to him shall be that in respect of which the highest salary is payable.”
- (4) In section 1A (alteration of salaries), in subsection (1), after “section 1(1),” insert “(2)(a) or (b),”.

*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 Act 1972 (pensions of Prime Minister, Commons Speaker and Lord Chancellor etc) are repealed.
- 6 In the Judicial Pensions Act 1981—
- (a) in section 16 (application and interpretation of Part 2 of Act), in the Table, the entry relating to the office of Lord Chancellor is repealed;
- (b) section 26 (references to retirement, in relation to Lord Chancellor, to be read as resignation from office) is repealed.
- 7 The provisions listed in the following table (which includes spent provisions) are repealed—

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<i>Act</i>	<i>Extent of repeal</i>
Pensions (Increase) Act 1971 (c. 56)	In Schedule 2, paragraphs 1 to 3.
Parliamentary and other Pensions Act 1972 (c. 48)	Sections 31, 36 and 37.
Ministerial and other Pensions and Salaries Act 1991 (c. 5)	Sections 1 and 3(1).
Parliamentary and other Pensions Act 1987 (c. 45)	In Schedule 3, paragraph 4.

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Pensions Act 1995 (c. 26)            Section 170.  
Civil Partnership Act 2004 In Schedule 25, paragraph 3.  
(c. 33)  
Constitutional Reform and In Schedule 6, paragraphs 36 and 37.  
Governance Act 2010 (c. 25)

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*Saving and transitional*

- 8 (1) Subject to sub-paragraph (2), this Schedule does not have effect in relation to any term of service as Prime Minister and First Lord of the Treasury, Lord Chancellor, or Speaker of the House of Commons beginning before the day on which section 33 comes into force.
- (2) In relation to a term of service as Lord Chancellor beginning on or after 4 September 2012 (but before the day on which section 33 comes into force), the amendments made by paragraph 1 have effect from—
- (a) the day on which section 33 comes into force, or
  - (b) if later, the day after that on which the term of service ceases.



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