



Public Service Pensions and Judicial Offices Act 2022

2022 CHAPTER 7

PART 1

PUBLIC SERVICE PENSION SCHEMES

CHAPTER 1

SCHEMES OTHER THAN JUDICIAL SCHEMES AND LOCAL GOVERNMENT SCHEMES

Powers to make provision in relation to special cases

21 Transfers

- (1) Scheme regulations for a Chapter 1 scheme may make provision about cases in which—
- (a) a member transfers out of the scheme rights in respect of remediable service in an employment or office that is pensionable service under the scheme;
 - (b) a member transfers in to the scheme rights in respect of remediable service in an employment or office that is pensionable service under another Chapter 1 scheme;
 - (c) a member transfers in to the scheme rights in respect of remediable service in a judicial office (within the meaning of Chapter 2) that is pensionable service under a judicial scheme (within the meaning of that Chapter);
 - (d) a member transfers in to the scheme rights in respect of remediable service in an employment or office (within the meaning of Chapter 3) that is pensionable service under a local government scheme (within the meaning of that Chapter);

Status: Point in time view as at 10/03/2022. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions and Judicial Offices Act 2022, Section 21. (See end of Document for details)

- (e) a person, within the period beginning with the closing date and ending with 31 March 2022, transfers in to the scheme, or to any other Chapter 1 scheme, rights in respect of service in any employment or office.
- (2) The provision that may be made under subsection (1)(b) to (e) includes, in particular, provision under which the rights to benefits that would otherwise have been secured by the transfer are varied, in a case in which an election by virtue of section 6 or 10 is made in respect of any remediable service of the member in question.
- (3) The rights may, in particular, be varied so that they are of an equivalent value to rights the member would have secured under another Chapter 1 scheme if the rights had been transferred in to that scheme.
- (4) The provision that may be made under subsection (1)(b) to (e) includes, in particular, provision under which the rights to benefits that would otherwise have been secured by the transfer are extinguished.
- (5) Where scheme regulations made by virtue of subsection (1) make provision as mentioned in subsection (4), scheme regulations by virtue of subsection (1) must be made that include provision under which—
 - (a) the person in question receives rights under a Chapter 1 scheme that are of an equivalent value to the extinguished rights, or
 - (b) the person in question is given rights under a Chapter 1 scheme that the member would have secured under that scheme if the transfer had been made in to that scheme.

Commencement Information

- I1** S. 21 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)
- I2** [S. 21](#) in force at 1.10.2023 in force in so far as not already in force (or on such earlier day as may be appointed), see [s. 131\(2\)\(a\)\(b\)](#)

Status:

Point in time view as at 10/03/2022. This version of this provision has been superseded.

Changes to legislation:

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