



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

Interpretation

34 Meaning of “new scheme benefits”

- (1) Subsection (2) defines “new scheme benefits” in relation to the remediable service in an employment or office of a member of a Chapter 1 legacy scheme that is pensionable service under the scheme (whether or not by virtue of section 2(1)).
- (2) “New scheme benefits” means the benefits that would be payable to or in respect of the member if the remediable service were pensionable service under the relevant Chapter 1 new scheme.
- (3) Where—
 - (a) by virtue of section 6 or 10, the benefits payable to or in respect of a member of a Chapter 1 legacy scheme, so far as they are determined by reference to the member’s remediable service, are new scheme benefits, and
 - (b) the corresponding benefits, if payable under the relevant Chapter 1 new scheme, would have been payable only on the meeting of a condition (for example that the member attains a particular age or makes a particular election),

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions and Judicial Offices Act 2022, Section 34. (See end of Document for details)

the new scheme benefits are payable under the Chapter 1 legacy scheme to or in respect of the member only on the meeting of that condition.

(4) In this section “the relevant Chapter 1 new scheme”, in relation to a Chapter 1 legacy scheme, means the Chapter 1 new scheme that is connected with the Chapter 1 legacy scheme.

(5) This section has effect for the purposes of this Chapter.

Modifications etc. (not altering text)

- C1** Pt. 1 Ch. 1 applied (1.10.2023) by S.I. 2005/438, **Sch. 3 para. 40(4)** (as inserted by [The Armed Forces Pensions \(Remediable Service\) Regulations 2023 \(S.I. 2023/998\)](#), reg. 1(b), **Sch. 2**)
- C2** Pt. 1 Ch. 1 applied (E.W.) (1.10.2023) by [The National Health Service Pension Schemes \(Remediable Service\) Regulations 2023 \(S.I. 2023/985\)](#), regs. 1(2), **76(5)**
- C3** Pt. 1 Ch. 1 applied (N.I.) (1.10.2023) by [The Health and Social Care Pension Schemes \(Remediable Service\) Regulations \(Northern Ireland\) 2023 \(S.R. 2023/132\)](#), regs. 1, **74(5)**
- C4** Pt. 1 Ch. 1 applied (S.) (1.10.2023) by [The Teachers’ Pensions \(Remediable Service\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/241\)](#), regs. 1(b), **63**
- C5** Pt. 1 Ch. 1 applied (E.W.) (1.10.2023) by [The Teachers’ Pension Scheme \(Remediable Service\) Regulations 2023 \(S.I. 2023/871\)](#), regs. 1(b), **63(7)**

Commencement Information

- I1** S. 34 in force at Royal Assent for specified purposes, see **s. 131(1)**
- I2** S. 34 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)**

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