
STATUTORY INSTRUMENTS

2005 No. 1923

The Occupational Pension Schemes (Equal Treatment) (Amendment) Regulations 2005

PART 1

GENERAL

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Occupational Pension Schemes (Equal Treatment) (Amendment) Regulations 2005.

(2) These Regulations shall come into force on 10th August 2005.

(3) In these Regulations—

“armed forces” means the naval, military or air forces of the Crown;

“armed forces scheme” means any occupational pension scheme—

- (a) made under section 3 of the Naval and Marine Pay and Pensions Act 1865⁽¹⁾ (payment of naval and marine pay and pensions according to Order in Council),
- (b) set out in the Army Pensions Warrant 1977⁽²⁾,
- (c) made under section 2 of the Air Force (Constitution) Act 1917⁽³⁾ (government, discipline and pay of Air Force),
- (d) made under sections 4 and 8 of the Reserve Forces Act 1996⁽⁴⁾ (orders and regulations concerning the reserve forces), or
- (e) made under section 1 of the Armed Forces (Pensions and Compensation) Act 2004⁽⁵⁾ (pension and compensation schemes: armed and reserve forces);

“commencement date” means the date specified in paragraph (2);

“Equal Pay Act” means the Equal Pay Act 1970⁽⁶⁾;

“equality clause” shall be construed in accordance with section 1(2) of the Equal Pay Act;

“occupational pension scheme” has the meaning given by section 1 of the Pension Schemes Act 1993⁽⁷⁾ (categories of pension scheme);

(1) 1865 c. 73. Section 3 was amended by the Armed Forces (Pensions and Compensation) Act 2004 (c. 32).

(2) Available from the Office of Public Sector Information (formerly known as Her Majesty’s Stationery Office).

(3) 1917 c. 51.

(4) 1996 c. 14.

(5) 2004 c. 32.

(6) 1970 c. 41. Section 2 was amended by Part I of Schedule 1 to the Sex Discrimination Act 1975 (c. 65), Schedule 17 to the Employment Protection (Consolidation) Act 1978 (c. 44), section 1(2)(a) of the Employment Rights (Dispute Resolution) Act 1998 (c. 8) and S.I.2003/1656. Sections 2ZA, 2ZB and 2ZC were inserted by S.I. 2003/1656. Section 2A was inserted by S.I. 1983/1794 and amended by section 1(2)(a) of the Employment Rights (Dispute Resolution) Act 1998, S.I. 1996/438 and 2004/2352. Section 7A was inserted by section 24(2) of the Armed Forces Act 1996 (c. 46) and amended by section 1(2)(a) of the Employment Rights (Dispute Resolution) Act 1998 and by S.I. 2003/1656. Sections 7AA, 7AB and 7AC were inserted by S.I. 2003/1656. There are other amendments to the Equal Pay Act 1970 but none is relevant to these Regulations.

(7) 1993 c. 48. Section 1 was amended by section 239 of the Pensions Act 2004 (c. 35).

“pension-related term of service” has the meaning given by regulation 12(2); and
“pensioner member” includes a person who is entitled to the present payment of pension or other benefits derived through a member.