

2014 No. 563

PUBLIC SERVICE PENSIONS

**The Pensions Increase (Commissioners of Irish Lights)
Regulations 2014**

<i>Made</i>	- - - -	<i>10th March 2014</i>
<i>Laid before Parliament</i>		<i>11th March 2014</i>
<i>Coming into force</i>	- -	<i>1st April 2014</i>

The Treasury, being satisfied that it is proper to do so, in exercise of the power conferred by section 5(3) of the Pensions (Increase) Act 1971(a) and now vested in them(b) make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Pensions Increase (Commissioners of Irish Lights) Regulations 2014, and come into force on 1st April 2014.

Interpretation

2. In these Regulations—

“the 1971 Act” means the Pensions (Increase) Act 1971(c);

“Commissioners of Irish Lights pension scheme” means the pension scheme operated by the Commissioners of Irish Lights;

“deferred member” has the same meaning as in section 124 of the Pensions Act 1995(d);

“pensioner member” has the same meaning as in section 124 of the Pensions Act 1995(e);

“Principal Civil Service Pension Scheme” means the pension scheme of that name established under section 1 of the Superannuation Act 1972(f);

“relevant pension” means the rights to benefits accrued in the Principal Civil Service Pension Scheme—

(a) as a result of the relevant transfer; and

(a) 1971 c. 56, as amended by the Social Security Pensions Act 1975 (c.60), paragraph 18 of Schedule 4, article 5(3) of S.I. 1974/1264 and Schedule 3 to S.I. 1979/1451.
(b) See article 2(1)(c) of S.I. 1981/1670.
(c) Section 59(7) of the Social Security Pensions Act 1975 provides that sections 59 and 59A of that Act have effect as if they were included in Part 1 of the Pensions (Increase) Act 1971.
(d) 1995 c.26.
(e) The definition of “pensioner member” in section 124 of the Pensions Act 1995 has been amended by the Child Support, Pensions and Social Security Act 2000 (c.19), paragraph 8(3) of Schedule 5, and S.I. 2006/745, article 10(1) and (7).
(f) 1972 c.11.

- (b) in respect of which the relevant type A person or the relevant type B person was a deferred member or a pensioner member of the Commissioners of Irish Lights pension scheme immediately before the relevant transfer;

“relevant type A person” means a person who—

- (a) immediately before the relevant transfer, had benefits accrued in the Commissioners of Irish Lights pension scheme; and
- (b) those benefits had not been increased, in the calendar year preceding the relevant transfer, as if under an order made under section 59 of the Social Security Pensions Act 1975(a);

“relevant type B person” means a person who—

- (a) immediately before the relevant transfer, had benefits accrued in the Commissioners of Irish Lights pension scheme; and
- (b) those benefits had been increased, in the calendar year preceding the relevant transfer, as if under an order made under section 59 of the Social Security Pensions Act 1975;

“relevant transfer” means the bulk transfer, made on 1st April 2014, into the Principal Civil Service Pension Scheme, by means of a transfer payment in respect of rights to benefits accrued in the Commissioners of Irish Lights pension scheme.

Application of the 1971 Act to a relevant pension after the relevant transfer

3. The provisions of the 1971 Act shall apply—

- (a) to the relevant pension of a relevant type A person as if it was deemed by section 8(2) of that Act(b) to begin on the 2nd April 2014;
- (b) to the relevant pension of a relevant type B person as if it was deemed by section 8(2) of that Act to begin on the 8th April 2013.

Signed

Mark Lancaster
Sam Gyimah

10th March 2014

Two of the Lords Commissioners of Her Majesty’s Treasury

(a) 1975 c.60, as amended by the Social Security Act 1979 (c.18), section 11 and paragraph 20 of Schedule 3, the Social Security Act 1985 (c.53), paragraph 33 of Schedule 5, the Social Security Act 1986 (c.50), section 9, the Pensions (Miscellaneous Provisions) Act 1990 (c.7), sections 1 and 5 and Part 6 of Schedule 11, the Social Security (Consequential Provisions) Act 1992 (c.6), paragraph 34 of Schedule 2, the Pension Schemes Act 1993 (c.48), paragraph 9 of Schedule 8, the Pensions Act 2008 (c.30), section 137.

(b) As amended by the Pensions (Miscellaneous Provisions) Act 1990, section 1(5), and the Welfare Reform and Pensions Act 1999 (c.30), section 39(1) and (4).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations modify the application of the Pensions (Increase) Act 1971 ('the 1971 Act') to certain of the pensions which will transfer from the Commissioners of Irish Lights pension scheme to the Principal Civil Service Pension Scheme ('the PCSPS') on 1st April 2014.

The Commissioners of Irish Lights is a general lighthouse authority which employs people to manage and maintain aids to navigation and to provide allied services in both Northern Ireland and the Republic of Ireland. It operates its own pension scheme. At present, some members have their pensions increased in line with Irish law and others have their pensions increased in line with UK law.

The PCSPS is an official pension listed in Schedule 2 of the 1971 Act. Pensions within the PCSPS are increased by orders made under section 59 of the Social Security Pensions Act 1975 ('the 1975 Act'). Those pension increases take effect from when a pension 'begins' within the meaning of section 8 of the 1971 Act. The general rule is that a pensions 'begins' on the day after the last day of the member's service.

These Regulations modify the application of the 1971 Act in relation to the deferred and pensioner members of the Commissioners of Irish Lights pension scheme who will transfer into the PCSPS.

Those deferred and pensioner members whose pensions have previously been increased in line with Irish law will retain their increases up to the date of transfer, and their pensions will be deemed to 'begin' on the day after the date of transfer. Accordingly, pension increases will apply to the transferred pension from the day after the date of transfer.

Those deferred and pensioner members whose pensions have been previously increased in line with UK law will retain their increases up to the date of transfer, and their pension will be deemed to 'begin' on 8th April 2013. They will as a result receive a pension increase for the period 8th April 2013 to 2nd April 2014, as they would have had they not transferred.

An impact assessment has not been prepared for these Regulations as no impact upon the costs of business or the voluntary sector is foreseen.

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