
STATUTORY INSTRUMENTS

2023 No. 942

PUBLIC SERVICE PENSIONS

The Public Service (Civil Servants and Others)
Pensions (Remediable Service) Regulations 2023

Made - - - - *4th September 2023*
Laid before Parliament *6th September 2023*
Coming into force *1st October 2023*

THE PUBLIC SERVICE (CIVIL SERVANTS AND OTHERS)
PENSIONS (REMEDIABLE SERVICE) REGULATIONS 2023

PART 1

Introductory provisions

1. Citation, commencement and extent
2. Interpretation
3. Delegation

PART 2

Remediable service statements

4. Requirements relating to remediable service statements

PART 3

Decisions about the treatment of remediable service

CHAPTER 1

Opted-out service elections

5. Application and interpretation of Chapter 1
6. Election in relation to PCSPS opted-out service

Status: This is the original version (as it was originally made).

CHAPTER 2

Immediate choice decision for alpha or PCSPS benefits

7. Application of Chapter 2
8. Immediate choice decision for alpha or PCSPS benefits: general
9. Immediate choice decision: additional requirements
10. Immediate choice decision: deemed section 6 election

CHAPTER 3

Deferred choice decision for alpha or PCSPS benefits

11. Application of Chapter 3
12. Deferred choice decision for alpha or PCSPS benefits: general
13. Deferred choice decision: when a deferred choice decision may be made
14. Deferred choice decision: revocation
15. Deferred choice decision: additional requirements

PART 4

Provision about divorce and dissolution arrangements

CHAPTER 1

Pension credit and pension debit members

SECTION 1

Application and interpretation of Chapter 1

16. Application and interpretation of Chapter 1

SECTION 2

Pension sharing orders: information provided before 1st October 2023

17. Application and interpretation of Section 2
18. Meaning of “alternative amount”
19. Information provided before 1st October 2023: calculating a remediable credit adjustment
20. Information provided before 1st October 2023: applying a remediable credit adjustment
21. Information provided before 1st October 2023: recalculating D’s reduction of benefit

SECTION 3

Information provided on or after 1st October 2023

22. Application and interpretation of Section 3
23. Information provided on or after 1st October 2023: calculation of pension credits and debits
24. Information provided on or after 1st October 2023: recalculating D’s reduction of benefit

CHAPTER 2

Arrangements on divorce, annulment or dissolution other than a pension sharing order

25. Arrangements other than a pension sharing order: calculating the value of pension benefits

PART 5

Voluntary contributions

CHAPTER 1

Added pension

26. Interpretation of Chapter 1
27. Lump sum purchase of added pension
28. Periodic arrangements for alpha added pension
29. PCSPS added pension: treatment on a section 6 or 10 election

CHAPTER 2

Effective pension age and enhanced effective pension age

30. Treatment of EPA and EEPA rights

CHAPTER 3

Treatment of remediable added pension rights

31. Application and interpretation of Chapter 3
32. Treatment of added pension rights under alpha
33. Benefits already paid in relation to added pension rights
34. Pension benefits and lump sum benefits in relation to remediable additional rights

CHAPTER 4

Remedial arrangements to pay voluntary contributions to the PCSPS

35. Remedial arrangements to pay voluntary contributions to secure EPA or EEPA rights

PART 6

Transfers

CHAPTER 1

General

36. Interpretation of Part 6
37. Transferred out remediable service statements

Status: This is the original version (as it was originally made).

CHAPTER 2

Transfers on a cash equivalent basis

SECTION 1

Transfers before 1st October 2023

- 38. Transfers out before 1st October 2023
- 39. Transfers in before 1st October 2023

SECTION 2

Transfers on or after 1st October 2023

- 40. Application of Section 2
- 41. Transfers out on or after 1st October 2023

CHAPTER 3

Transfers on a club basis

SECTION 1

Club transfers before 1st October 2023

- 42. Club transfers out before 1st October 2023
- 43. Club transfers in before 1st October 2023

SECTION 2

Club transfers on or after 1st October 2023

- 44. Application of Section 2
- 45. Club transfers out on or after 1st October 2023
- 46. Club transfers in on or after 1st October 2023

SECTION 3

Interim payment of benefits in certain cases

- 47. Interim payment of benefits in certain cases

CHAPTER 4

Treatment of rights secured by virtue of a remediable value

- 48. Application and interpretation of Chapter 4
- 49. Transferred in remediable rights treated as being in the PCSPS
- 50. Varying the value of benefits secured by virtue of transferred in remediable rights
- 51. Benefits already paid in relation to transferred in remediable rights
- 52. Pension benefits and lump sum benefits in relation to transferred in remediable rights

PART 7

Provision about special cases

CHAPTER 1

Ill-health retirement

53. Application and interpretation of Chapter 1
54. Whether M meets the IHR criteria in M's alternative scheme
55. Deferred choice members entitled to ill-health benefits in their alternative scheme only
56. Remedy members entitled to ill-health benefits in their alternative scheme only
57. Remedy members with provisional awards of ill-health pension
58. Disapplication of certain requirements

CHAPTER 2

Miscellaneous special cases

59. Protection of the amount of pension in payment to an eligible child
60. Modification of nomination rules for Section II members
61. Aggregation of PCSPS membership
62. Payment of annual allowance tax charges and provision of information

PART 8

Immediate detriment cases

63. Treatment of immediate detriment cases

PART 9

Liabilities and payment

CHAPTER 1

Application of Part 9

64. Application of Part 9

CHAPTER 2

Interest, compensation and netting off

65. Interest
66. Indirect compensation
67. Applications for compensation or indirect compensation
68. Netting off

Status: This is the original version (as it was originally made).

CHAPTER 3

Reduction and waiver of liabilities

69. Reduction of liabilities in relation to pension contributions
70. Power to reduce or waive amounts owed by a person to the scheme manager
71. Agreement to waive a liability owed by the scheme manager in respect of an immediate correction

CHAPTER 4

Payment of net liabilities

72. Application of Chapter 4
73. Payment of amounts owed to the scheme manager
74. Payment of amounts owed to a person
Signature

SCHEDULE — Eligible decision-makers for deceased members

1. Interpretation
2. Sole beneficiary: an adult
3. Sole beneficiary: a child
4. Sole beneficiary: a body
5. Sole beneficiary: M's estate
6. Multiple beneficiaries: including a surviving adult
7. Multiple beneficiaries: including adult eligible children
8. Multiple beneficiaries: nominated individuals only
9. Multiple beneficiaries: non-adult eligible children
10. Multiple beneficiaries: nominated children only
11. Multiple beneficiaries: one or more adults and one or more children
12. Other cases

Explanatory Note