



Pension Schemes Act 2015

2015 CHAPTER 8

PART 5

MISCELLANEOUS

Remploy

77 Payments into Remploy Limited Pension and Assurance Scheme

The Secretary of State may make payments into the Remploy Limited Pension and Assurance Scheme.

Commencement Information

II S. 77 in force at 16.11.2015 by S.I. 2015/1851, reg. 2(a)

Judicial and public service pensions

78 Pension scheme for fee-paid judges

(1) In the Judicial Pensions and Retirement Act 1993, after Part 1 insert—

“PART 1A

FEE-PAID JUDGES

18A Pension scheme for fee-paid judges

(1) The appropriate Minister may by regulations establish a scheme for the payment of pensions and other benefits to or in respect of fee-paid judges.

Changes to legislation: There are currently no known outstanding effects for the Pension Schemes Act 2015, PART 5. (See end of Document for details)

- (2) The scheme may make provision for payments to or in respect of a person in relation to the person's service before the scheme is established.
- (3) No benefits are to be provided under a new public service pension scheme in relation to service in relation to which benefits are to be provided under a scheme under this section.
 - “New public service pension scheme” means a scheme under—
 - (a) section 1 of the Public Service Pensions Act 2013, or
 - (b) section 1 of the Public Service Pensions Act (Northern Ireland) 2014 (c. 2).
- (4) The power under section 18(5) of the Public Service Pensions Act 2013 is to include power to provide for exceptions in the case of a person who—
 - (a) served as a fee-paid judge before 1 April 2012, and
 - (b) has been notified by the appropriate Minister that he or she will potentially be eligible for benefits under a scheme under this section in relation to that service,
 (and section 18(6) to (8) of the 2013 Act apply accordingly).
- (5) The power under section 18(5) of the Public Service Pensions Act (Northern Ireland) 2014 is to include power to provide for exceptions in the case of a person who—
 - (a) served as a fee-paid judge before 1 April 2012, and
 - (b) has been notified by the appropriate Minister that he or she will potentially be eligible for benefits under a scheme under this section in relation to that service,
 (and section 18(7) to (9) of the 2014 Act apply accordingly).
- (6) Regulations under this section may, in particular, include provision corresponding or similar to—
 - (a) any provision made by Part 1, section 20 or Schedule 2 or 2A;
 - (b) any provision that may be made by regulations under Part 1, section 20 or Schedule 2 or 2A.
- (7) In this section—
 - “judge” means a person who holds an office specified in the regulations;
 - “fee-paid judge” means a judge whose service is remunerated by the payment of fees (as opposed to the payment of a salary).”

(2) Schedule 5 contains related amendments.

79 Judicial pensions: pension sharing on divorce etc

In paragraph 1(5) of Schedule 2A to the Judicial Pensions and Retirement Act 1993 (pension credits), for the words from “in respect of the office” to the end substitute “in respect of the rights from which the pension credit is derived”.

F180 Public service pension schemes

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Changes to legislation: There are currently no known outstanding effects for the Pension Schemes Act 2015, PART 5. (See end of Document for details)

Textual Amendments

- F1** S. 80 omitted (10.3.2022 for specified purposes, 1.4.2022 in so far as not already in force) by virtue of [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\)](#), **ss. 96(5)**, 131(1)(2)(f)

Marriage of same sex couples

81 Extension to Scotland of certain provisions about marriage of same sex couples

Sections 17(11), [F²24D(5),] 37(7) and 38A of the Pension Schemes Act 1993 (regulations about relevant gender change cases) extend to Scotland.

Textual Amendments

- F2** Word in s. 81 omitted (28.4.2022 for specified purposes) by virtue of [Pension Schemes \(Conversion of Guaranteed Minimum Pensions\) Act 2022 \(c. 33\)](#), **ss. 1(12)**, 3(4)(a)

Commencement Information

- I2** S. 81 in force at 16.11.2015 by [S.I. 2015/1851](#), **reg. 2(b)**

Pension sharing

82 Pension sharing and normal benefit age

- (1) The Pension Schemes Act 1993 is amended as follows.
- (2) In section 101B (interpretation), for the definition of “normal benefit age” substitute—

““normal benefit age”, in relation to a pension credit benefit for a member of a scheme, is the earliest age at which the member is entitled to receive the benefit without adjustment for taking it early or late (disregarding any special provision as to early payment on the grounds of ill-health or otherwise);

“normal pension age”, in relation to a benefit for a member of a scheme, means the earliest age at which the member is entitled to receive the benefit without adjustment for taking it early or late (disregarding any special provision as to early payment on the grounds of ill-health or otherwise).”
- (3) In section 101C (basic principle as to pension credit benefit), for subsection (1) substitute—
 - “(1) The normal benefit age in relation to a pension credit benefit for a member of a scheme—
 - (a) must not be lower than 60, and
 - (b) must not be higher than the permitted maximum.
 - (1A) The “permitted maximum” is 65 or, if higher, the highest normal pension age for any benefit that is payable under the scheme to or in respect of any of the members by virtue of rights which are not attributable (directly or indirectly) to a pension credit.”

Changes to legislation:

There are currently no known outstanding effects for the Pension Schemes Act 2015, PART 5.