

SCHEDULES

SCHEDULE 5

PENSION CREDITS: MODE OF DISCHARGE

Unfunded public service pension schemes

- 2 (1) This paragraph applies to a pension credit which derives from an occupational pension scheme which is—
- (a) not funded, and
 - (b) a public service pension scheme.
- (2) The trustees or managers of the scheme from which a pension credit to which this paragraph applies derives may discharge their liability in respect of the credit by conferring appropriate rights under that scheme on the person entitled to the credit.
- (3) If such a scheme as is mentioned in sub-paragraph (1) is closed to new members, the appropriate authority in relation to that scheme may by regulations specify another public service pension scheme as an alternative to it for the purposes of this paragraph.
- (4) Where the trustees or managers of a scheme in relation to which an alternative is specified under sub-paragraph (3) are subject to liability in respect of a pension credit, they may—
- (a) discharge their liability in respect of the credit by securing that appropriate rights are conferred on the person entitled to the credit by the trustees or managers of the alternative scheme, and
 - (b) for the purpose of so discharging their liability, require the trustees or managers of the alternative scheme to take such steps as may be required.
- (5) In sub-paragraph (3), “the appropriate authority”, in relation to a public service pension scheme, means such Minister of the Crown or government department as may be designated by the Treasury as having responsibility for the scheme.