



Postal Services Act 2011

2011 CHAPTER 5

PART 2

ROYAL MAIL PENSION PLAN

Powers exercisable

17 Transfer of qualifying accrued rights to new public scheme

- (1) The [^{F1}Minister for the Civil Service or the] Secretary of State may by order establish a scheme (a “new public scheme”) which, in respect of pensionable service under the RMPP before the qualifying time, provides for pensions or other benefits to be payable to or in respect of persons who are or have been qualifying members of the RMPP.
- (2) The [^{F2}Minister for the Civil Service or the] Secretary of State may by order make provision for the transfer of qualifying accrued rights to a new public scheme (without the need for any approval or consent to the transfer).
- (3) An order under subsection (2) may include provision for the discharge of liabilities in respect of the qualifying accrued rights that are transferred.
- (4) A new public scheme may—
 - (a) include provision for increasing in particular circumstances the amounts payable in respect of qualifying accrued rights,
 - (b) include provision in relation to any persons who are active members of the RMPP which (despite the effect of section 16(3)) differs from the provision made in relation to persons who are deferred members of the RMPP,
 - (c) include provision for the payment of transfer values, and
 - (d) include provision for the transfer of money purchase benefits under the RMPP into the scheme (whether or not the contributions to which those benefits are attributable are made before or after the qualifying time) and the conversion of those benefits into benefits under the scheme.

Changes to legislation: There are currently no known outstanding effects for the Postal Services Act 2011, Section 17. (See end of Document for details)

- (5) An order under this section may include provision for treating a new public scheme as an occupational pension scheme for the purposes of any provision made by or under any enactment specified, or of a description specified, in the order.
- (6) An order under this section may include provision for—
- (a) treating a new public scheme as a salary-related contracted out scheme for the purposes of Part 3 of the Pension Schemes Act 1993, and
 - (b) applying any provision of that Part with modifications.
- (7) Provision made by an order under this section may have retrospective effect.
- (8) The [^{F3}Minister for the Civil Service or the] Secretary of State may—
- (a) provide for a new public scheme to be administered by any person, and
 - (b) delegate to any person any functions exercisable by the [^{F3}Minister for the Civil Service or the] Secretary of State under a new public scheme.

Textual Amendments

- F1** Words in s. 17(1) inserted (2.4.2014) by [The Transfer of Functions \(Royal Mail Pension Plan\) Order 2014 \(S.I. 2014/500\)](#), arts. 1(2), **5(2)** (with art. 4)
- F2** Words in s. 17(2) inserted (2.4.2014) by [The Transfer of Functions \(Royal Mail Pension Plan\) Order 2014 \(S.I. 2014/500\)](#), arts. 1(2), **5(2)** (with art. 4)
- F3** Words in s. 17(8) inserted (2.4.2014) by [The Transfer of Functions \(Royal Mail Pension Plan\) Order 2014 \(S.I. 2014/500\)](#), arts. 1(2), **5(2)** (with art. 4)

Modifications etc. (not altering text)

- C1** S. 17 functions made exercisable concurrently (2.4.2014) by [The Transfer of Functions \(Royal Mail Pension Plan\) Order 2014 \(S.I. 2014/500\)](#), arts. 1(2), **2(2)(a)(ii)** (with art. 4)

Commencement Information

- I1** S. 17 in force at 1.10.2011 by [S.I. 2011/2329](#), **art. 3**

Changes to legislation:

There are currently no known outstanding effects for the Postal Services Act 2011, Section 17.