



Public Service Pensions Act 2013

2013 CHAPTER 25

New schemes: supplementary

25 Extension of schemes

- (1) Scheme regulations for a scheme under section 1 may make provision for the payment of pensions and other benefits to or in respect of—
 - (a) persons who are specified in section 1(2), but
 - (b) in relation to whom the responsible authority could not otherwise make a scheme under section 1.
- (2) Scheme regulations for a scheme under section 1 may make provision to deem persons of any description to fall within a given description of persons specified in section 1(2).
- (3) Scheme regulations for a scheme under section 1 may specify persons, not being persons specified in section 1(2), as persons to whom the scheme may potentially relate.
- (4) The persons specified under subsection (3) may be any persons (other than persons specified in section 1(2)) that the responsible authority considers appropriate.
- (5) The responsible authority may then at any time determine that the scheme is to relate to some or all of those persons.
- (6) By virtue of a determination under subsection (5) the scheme regulations then apply to the persons to whom the determination relates as they apply to other persons to or in respect of whom pensions and other benefits are provided under the scheme (or such class of other persons as may be specified in the determination).
- (7) Subsection (6) is subject to—
 - (a) any special provision made in the scheme regulations, and
 - (b) a direction under subsection (8).
- (8) Scheme regulations made under subsection (2) or (3) in relation to any persons may include provision authorising the responsible authority by direction to modify provisions of the regulations in their application to those persons for the purpose of—

- (a) securing appropriate protection against additional costs to the scheme that might result from the application of the scheme regulations to those persons,
 - (b) obtaining information about those persons, their employers and other relevant persons, or
 - (c) taking appropriate account of—
 - (i) the arrangements under which those persons are employed, and
 - (ii) the organisational structures of their employers.
- (9) The responsible authority for a scheme under section 1 must publish a list of the persons to whom the scheme relates by virtue of determinations under subsection (5) (and keep the published list up-to-date).
- (10) A determination under subsection (5) may have retrospective effect.
- (11) Where, by virtue of section 4(5), there is more than one scheme manager for a scheme under section 1, the responsible authority may delegate its functions under subsection (5) or (9) to the scheme managers, subject to such conditions as the responsible authority considers appropriate.

26 Non-scheme benefits

- (1) The scheme manager or employer for a scheme under section 1 may make such payments as the scheme manager or employer considers appropriate towards the provision, otherwise than by virtue of the scheme, of pensions and other benefits to or in respect of—
- (a) persons within the description of persons specified in section 1(2) for which the responsible authority may make the scheme, and
 - (b) any other persons to whom the scheme relates by virtue of section 25.
- (2) Subsection (1) is subject to any provision made in the scheme regulations for the scheme that restricts or otherwise affects the power to make payments under that subsection.

27 Consequential and minor amendments

Schedule 8 contains consequential and minor amendments.