

*This Statutory Instrument corrects an error in S.I. 2017/1261 and is being issued free of charge to all known recipients of that Statutory Instrument.*

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STATUTORY INSTRUMENTS

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**2020 No. 223**

**PUBLIC SERVICE PENSIONS**

**The Superannuation (Admission to Schedule 1  
to the Superannuation Act 1972) Order 2020**

*Made - - - - 27th February 2020*  
*Laid before Parliament 5th March 2020*  
*Coming into force - - 1st April 2020*

The Minister for the Civil Service, in exercise of the powers conferred by section 1(5), (7) and (8) (a) of the Superannuation Act 1972<sup>(1)</sup> and now vested in him<sup>(2)</sup>, makes the following Order.

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Superannuation (Admission to Schedule 1 to the Superannuation Act 1972) Order 2020.

(2) This Order comes into force on 1st April 2020, but has effect, as appropriate, from the dates specified in this Order.

(3) In this Order, “the Act” means the Superannuation Act 1972.

**Employments**

2.—(1) Section 1 of the Act applies to the following employments—

- (a) with effect from 16th October 2017, employment by the Office of the Small Business Commissioner;
- (b) with effect from 1st January 2019, employment by the Money and Pensions Service; and
- (c) with effect from 1st March 2020, employment by The Student Loans Company Limited.

(2) Accordingly, in Schedule 1 to the Act, at the appropriate places in the list of “Other Bodies”, insert—

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(1) 1972 c.11. The power to make retrospective provision is contained in section 1(8)(a).

(2) See article 2(1)(c) of the Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670) and article 3 of, and paragraph 6 of the Schedule to, the Transfer of Functions (Treasury and Minister for the Civil Service) Order 1995 (S.I. 1995/269).

- (a) with effect from 16th October 2017, the entry “Employment by the Office of the Small Business Commissioner”;
- (b) with effect from 1st January 2019, the entry “Employment by the Money and Pensions Service”; and
- (c) with effect from 1st March 2020, the entry “Employment by The Student Loans Company Limited”.

### **Offices**

3.—(1) Section 1 of the Act applies to the following offices with effect from 16th October 2017—

- (a) the office of the Small Business Commissioner; and
- (b) the office of the Deputy Small Business Commissioner.

(2) Accordingly, in Schedule 1 to the Act, at the appropriate places in the list of “Offices”, insert with effect from 16th October 2017, the entries—

- (a) “The Small Business Commissioner”; and
- (b) “The Deputy Small Business Commissioner”.

### **Scottish employments and offices**

4.—(1) Section 1 of the Act applies to the following employment and office remunerated out of the Scottish Consolidated Fund—

- (a) with effect from 1st September 2019, employment by the Independent Living Fund Scotland; and
- (b) with effect from 1st March 1977, the office of Commissioner of the Scottish Law Commission, other than where held by a person who at the same time holds high judicial office (within the meaning given by section 6(2) of the Law Commissions Act 1965 at that time).

(2) Accordingly, in Schedule 1 to the Act, at the appropriate place in the list of “Other Bodies”, insert, with effect from 1st September 2019, the entry “Employment by the Independent Living Fund Scotland”.

(3) Accordingly, in Schedule 1 to the Act, at the appropriate place in the list of “Offices”, insert, with effect from 1st March 1977, the entry “The office of Commissioner of the Scottish Law Commission, other than where held by a person who at the same time holds high judicial office (within the meaning given by section 6(2) of the Law Commissions Act 1965 at that time)”.

### **Welsh employments and offices**

5.—(1) Section 1 of the Act applies, with effect from 1st April 2019, to employment by the National Academy for Educational Leadership (which employment is remunerated out of the Welsh Consolidated Fund).

(2) Accordingly, in Schedule 1 to the Act, at the appropriate place in the list of “Other Bodies”, insert, with effect from 1st April 2019, the entry “Employment by the National Academy for Educational Leadership”.

(3) In Schedule 1 to the Act, at the appropriate place in the list of “Offices”, insert—

- (a) with effect from 29th April 2015, the entry “The Ministerial Adviser on Gender-based Violence, Domestic Abuse and Sexual Violence”; and
- (b) with effect from 1st June 2015, the entry “The Future Generations Commissioner for Wales”.

## **Removals**

6. Omit the following entries from the list of “Other Bodies” in Schedule 1 to the Act—
- (a) with effect from 29th April 2015, the entry “The Ministerial Adviser on Gender-based Violence, Domestic Abuse and Sexual Violence”;
  - (b) with effect from 1st June 2015, the entry “The Future Generations Commissioner for Wales”; and
  - (c) with effect from 1st January 2019, the entry “The Pensions Advisory Service Limited”.

27th February 2020

*Agnew*  
Minister of State  
Cabinet Office

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Section 1 of the Superannuation Act 1972 (“the Act”) permits the Minister for the Civil Service to make schemes which make provision for pension and other benefits in respect of civil servants and persons serving in an office or employment listed in Schedule 1 to the Act. The Principal Civil Service Pension Scheme, the Civil Service Additional Voluntary Contribution Scheme, the Civil Service Compensation Scheme and the Civil Service Injury Benefit Scheme are some of the schemes that have been made under section 1 of the Act.

The addition of an employment or office to Schedule 1 to the Act makes a person serving in that employment or holding that office eligible to be a member of schemes made under section 1 of the Act, subject to the rules of those schemes.

Article 2 of this Order provides that, from the specified dates, section 1 of the Act applies to employment by the Office of the Small Business Commissioner, employment by the Money and Pensions Service, and employment by the Student Loans Company Limited.

Article 3 of this Order provides that, from the specified date, section 1 of the Act applies to the office of the Small Business Commissioner and the office of the Deputy Small Business Commissioner.

Article 4 of this Order provides that, from the specified dates, section 1 of the Act applies to certain employments and offices remunerated out of the Scottish Consolidated Fund. These employments and offices are employment by the Independent Living Fund Scotland and the office of Commissioner of the Scottish Law Commission (excluding any Commissioner who holds high judicial office).

Article 5 of this Order provides that, from the specified date, section 1 of the Act applies to employment by the National Academy for Educational Leadership, which is remunerated out of the Welsh Consolidated Fund. The addition of employments and offices remunerated out of the Welsh Consolidated Fund is authorised by section 1(7) of the Act.

Article 6 of this Order removes employment by the Pensions Advisory Service Limited from Schedule 1 to the Act, as the Pensions Advisory Service Limited has been superseded by the Money and Pensions Service, which has been added to Schedule 1 by Article 2 of this Order. The offices of the Ministerial Adviser on Gender-based Violence, Domestic Abuse and Sexual Violence and the Future Generations Commissioner for Wales are moved from the list of “Other Bodies” to the list of “Offices” in Schedule 1 to the Act to correct an error in [S.I. 2017/1261](#).

A number of changes to Schedule 1 to the Act made by this Order have effect from dates before the date this Order is made. This is authorised by section 1(8)(a) of the Act.

An impact assessment has not been produced for this instrument as no impact upon the costs of business or the voluntary sector is foreseen.