2014 CHAPTER 2

Establishment of new schemes

Schemes for persons in public service

1.—(1) Regulations may establish schemes for the payment of pensions and other benefits to or in respect of persons specified in subsection (2).

(2) Those persons are—

    (a) civil servants;

    (b) holders of judicial office;

    (c) local government workers;

    (d) teachers;

    (e) health service workers;

    (f) fire and rescue workers;

    (g) members of the police service.

(3) These terms are defined in Schedule 1.

(4) In this Act, regulations under this section are called "scheme regulations".

Responsible authority for schemes

2.—(1) The persons who may make scheme regulations are set out in Schedule 2.

(2) In this Act, the person who may make scheme regulations for any description of persons specified in section 1(2) is called the "responsible authority" for the scheme for those persons.

Scheme regulations

3.—(1) Scheme regulations may, subject to this Act, make such provision in relation to a scheme under section 1 as the responsible authority considers appropriate.

(2) That includes in particular—

(a) provision as to any of the matters specified in Schedule 3;

(b) consequential, supplementary, incidental or transitional provision in relation to the scheme or any provision of this Act.

(3) Scheme regulations may—

(a) make different provision for different purposes or cases (including different provision for different descriptions of persons);

(b) make retrospective provision (but see section 23);

(c) allow any person to exercise a discretion.

(4) The consequential provision referred to in subsection (2)(b) includes consequential provision amending any primary legislation made or passed before or within the period of 12 months from the date on which this Act receives Royal Assent (as well as consequential provision amending any secondary legislation).

(5) Scheme regulations require the consent of the Department of Finance and Personnel before being made, unless they are to be made by that Department.