



# Public Service Pensions Act 2013

## 2013 CHAPTER 25

### *Establishment of new schemes*

#### **1 Schemes for persons in public service**

- (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) the judiciary;
  - (c) local government workers for England, Wales and Scotland;
  - (d) teachers for England, Wales and Scotland;
  - (e) health service workers for England, Wales and Scotland;
  - (f) fire and rescue workers for England, Wales and Scotland;
  - (g) members of police forces for England, Wales and Scotland;
  - (h) the armed forces.
- (3) These terms are defined in Schedule 1.
- (4) In this Act, regulations under this section are called “scheme regulations”.

#### **2 Responsible authority for schemes**

- (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.

#### **3 Scheme regulations**

- (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.

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*Status: This is the original version (as it was originally enacted).*

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- (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 passed before or in the same session as this Act (as well as consequential provision amending any secondary legislation).
- (5) Scheme regulations require the consent of the Treasury before being made, unless one of the following exceptions applies.
- (6) The exceptions are—
  - (a) scheme regulations of the Scottish Ministers relating to local government workers, fire and rescue workers and members of a police force;
  - (b) scheme regulations of the Welsh Ministers relating to fire and rescue workers.