

*Status: Point in time view as at 25/04/2013.*

*Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act 2013, SCHEDULE 11. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 11

Section 33

#### PRIME MINISTER, LORD CHANCELLOR AND COMMONS SPEAKER

##### *Extension of MPs' and Ministerial pension schemes*

- 1 (1) Schedule 6 to the Constitutional Reform and Governance Act 2010 (parliamentary and other pensions) is amended as follows.
  - (2) Paragraph 12(2) to (5) (exclusion from MPs' scheme of persons with service as Lord Chancellor, Prime Minister or Commons Speaker) is repealed.
  - (3) In paragraph 16 (Ministers' etc pension scheme)—
    - (a) in sub-paragraph (2), after paragraph (b) there is inserted—
      - “(ba) Lord Chancellor,
      - (bb) Speaker of the House of Commons,”;
    - (b) sub-paragraph (3) (exclusion from scheme of persons with service as Lord Chancellor, Prime Minister or Commons Speaker) is repealed.
- 2 In section 4 of the Ministerial and other Pensions and Salaries Act 1991 (grants to persons ceasing to hold ministerial and other offices), in subsection (6)—
  - (a) in paragraph (a), “, other than that of Prime Minister and First Lord of the Treasury,” is repealed;
  - (b) after paragraph (ba) there is inserted—
    - “(bb) the office of Lord Chancellor;
    - (bc) the office of Speaker of the House of Commons;”.

##### *Lord Chancellor's salary*

- 3 (1) The Ministerial and other Salaries Act 1975 is amended as follows.
  - (2) In section 1 (salaries), in subsection (2), for the words from “at such rate” to the end there is substituted “of—
    - (a) £68,827, where the Lord Chancellor is a member of the House of Commons;
    - (b) otherwise, £101,038.”
  - (3) In that section, after subsection (5) there is inserted—
    - “(6) Where a person who holds office as Lord Chancellor (and to whom a salary is accordingly payable under subsection (2)) is also the holder of one or more other offices in respect of which a salary is payable under this section, he shall only be entitled to one of those salaries.
    - (7) If, in the case of a person mentioned in subsection (6), there is a difference between the salaries payable in respect of the offices held by him, the office

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in respect of which a salary is payable to him shall be that in respect of which the highest salary is payable.”

- (4) In section 1A (alteration of salaries), in subsection (1), after “section 1(1),” insert “(2)(a) or (b),”.

*Closure of existing arrangements*

- 4 The Lord Chancellor's Pension Act 1832 is repealed.
- 5 Sections 26 to 28 of the Parliamentary and other Pensions Act 1972 (pensions of Prime Minister, Commons Speaker and Lord Chancellor etc) are repealed.
- 6 In the Judicial Pensions Act 1981—
- (a) in section 16 (application and interpretation of Part 2 of Act), in the Table, the entry relating to the office of Lord Chancellor is repealed;
  - (b) section 26 (references to retirement, in relation to Lord Chancellor, to be read as resignation from office) is repealed.
- 7 The provisions listed in the following table (which includes spent provisions) are repealed—

<i>Act</i>	<i>Extent of repeal</i>
Pensions (Increase) Act 1971 (c. 56)	In Schedule 2, paragraphs 1 to 3.
Parliamentary and other Pensions Act 1972 (c. 48)	Sections 31, 36 and 37.
Ministerial and other Pensions and Salaries Act 1991 (c. 5)	Sections 1 and 3(1).
Parliamentary and other Pensions Act 1987 (c. 45)	In Schedule 3, paragraph 4.
Pensions Act 1995 (c. 26)	Section 170.
Civil Partnership Act 2004 (c. 33)	In Schedule 25, paragraph 3.
Constitutional Reform and Governance Act 2010 (c. 25)	In Schedule 6, paragraphs 36 and 37.

*Saving and transitional*

- 8 (1) Subject to sub-paragraph (2), this Schedule does not have effect in relation to any term of service as Prime Minister and First Lord of the Treasury, Lord Chancellor, or Speaker of the House of Commons beginning before the day on which section 33 comes into force.
- (2) In relation to a term of service as Lord Chancellor beginning on or after 4 September 2012 (but before the day on which section 33 comes into force), the amendments made by paragraph 1 have effect from—
- (a) the day on which section 33 comes into force, or
  - (b) if later, the day after that on which the term of service ceases.

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