
Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act 2013, Cross Heading: Pensions (Increase) Act 1971 (c. 56). (See end of Document for details)

SCHEDULES

SCHEDULE 8

CONSEQUENTIAL AND MINOR AMENDMENTS

Pensions (Increase) Act 1971 (c. 56)

4 After section 8 of the Pensions (Increase) Act 1971 there is inserted—

“8A Section 8(2): references to “service”

(1) In a case where—

- (a) paragraph 1 or 2 of Schedule 7 to the 2013 Act (final salary link for persons who remain in or are transferred to closed scheme for past service) applies in relation to a person, and
- (b) the person's final salary falls to be determined by reference to that paragraph,

references in section 8(2) above to the service in respect of which a pension is payable include the person's new scheme service (within the meaning of Schedule 7 to the 2013 Act).

(2) In a case where—

- (a) a person is a member of a relevant old scheme by virtue of pensionable service for that scheme (“the relevant old scheme service”),
- (b) the person is also a member of a scheme under section 1 of the 2013 Act or a new public body pension scheme (“the new scheme”) by virtue of pensionable service for that scheme (“the new scheme service”),
- (c) the relevant old scheme service and the new scheme service are continuous, and
- (d) the person's employer in relation to the relevant old scheme service is the person's employer in relation to the new scheme service (or any other employer in relation to the new scheme),

references in section 8(2) above to the service in respect of which a pension is payable include the person's new scheme service.

(3) In this section—

- (a) “relevant old scheme” means a career average revalued earnings scheme (within the meaning of the 2013 Act) to which section 18(1) or 31(2) of that Act applies (restriction of benefits under existing schemes);
- (b) “employer”, “new public body pension scheme” and “pensionable service” have the same meanings as in that Act.

(4) For the purposes of subsection (2)—

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- (a) paragraphs 3 and 4 of Schedule 7 to the 2013 Act (continuity of employment etc) apply as they apply for the purposes of paragraphs 1(2) and 2(2) of that Schedule;
 - (b) regulations under section 1 of the 2013 Act (in the case of a new scheme under that section) or rules (in the case of a new public body pension scheme) may provide that where a pension is in payment under a relevant old scheme, references in section 8(2) above to the service in respect of which a pension is payable do not include any subsequent period of pensionable service in relation to a scheme under section 1 of the 2013 Act or a new public body pension scheme.
- (5) Provision made under subsection (4)(b) may in particular be made by amending the relevant old scheme.
- (6) In this section, “the 2013 Act” means the Public Service Pensions Act 2013.”

Commencement Information

II Sch. 8 para. 4 in force at 28.2.2014 by S.I. 2014/433, art. 5(b)

- 5 (1) Schedule 2 to the Pensions (Increase) Act 1971 (official pensions) is amended as follows.
- (2) After paragraph 4 there is inserted—
- “4ZA A pension payable under a scheme made by the Minister for the Civil Service under section 1 of the Public Service Pensions Act 2013 by virtue of section 1(2)(a) of that Act (civil servants).”
- (3) After paragraph 4A there is inserted—
- “4B A pension payable under a scheme made by the Lord Chancellor under section 1 of the Public Service Pensions Act 2013 by virtue of section 1(2)(b) of that Act (judiciary).”
- (4) After paragraph 15A there is inserted—
- “15B A pension payable by the Secretary of State under a scheme made by the Secretary of State under section 1 of the Public Service Pensions Act 2013 by virtue of section 1(2)(g) of that Act (members of police forces) to or in respect of such a person as is referred to in paragraph 15 above.”
- (5) After paragraph 16A there is inserted—
- “16B A pension payable by the Secretary of State under a scheme made by the Secretary of State under section 1 of the Public Service Pensions Act 2013 by virtue of section 1(2)(f) of that Act (fire and rescue workers).”
- (6) After paragraph 20A there is inserted—
- “20B A pension payable by the Secretary of State under a scheme made by the Secretary of State under section 1 of the Public Service Pensions Act 2013 by virtue of section 1(2)(d) of that Act (teachers).

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20C A pension payable under a scheme made by the Scottish Ministers under section 1 of the Public Service Pensions Act 2013 by virtue of section 1(2)(d) of that Act (teachers).”

(7) After paragraph 22 there is inserted—

“22A A pension payable by the Secretary of State under a scheme made by the Secretary of State under section 1 of the Public Service Pensions Act 2013 by virtue of section 1(2)(e) of that Act (health service workers).

22B A pension payable under a scheme made by the Scottish Ministers under section 1 of the Public Service Pensions Act 2013 by virtue of section 1(2)(e) of that Act (health service workers).”

(8) After paragraph 29 there is inserted—

“Armed forces

29A A pension payable under a scheme made under section 1 of the Public Service Pensions Act 2013 by virtue of section 1(2)(h) of that Act (armed forces).”

(9) After paragraph 39 there is inserted—

“39A A pension payable under a defined benefits scheme, within the meaning of the Public Service Pensions Act 2013, made by the Secretary of State or the Scottish Ministers under section 1 of that Act by virtue of section 1(2)(c) of that Act (local government workers).”

(10) After paragraph 43 there is inserted—

“43A A pension payable under a defined benefits scheme, within the meaning of the Public Service Pensions Act 2013, made by the Secretary of State or the Scottish Ministers under section 1 of that Act by virtue of section 1(2)(g) of that Act (police).

In the case of a scheme made by the Secretary of State, this paragraph does not include a pension referred to in paragraph 15B above.”

(11) After paragraph 44 there is inserted—

“44A A pension payable under a defined benefits scheme, within the meaning of the Public Service Pensions Act 2013, made by the Secretary of State, the Scottish Ministers or the Welsh Ministers under section 1 of that Act by virtue of section 1(2)(f) of that Act (fire and rescue workers).

In the case of a scheme made by the Secretary of State, this paragraph does not include a pension referred to in paragraph 16B above.”

Commencement Information

I2 Sch. 8 para. 5 in force at 28.2.2014 by S.I. 2014/433, art. 5(b)

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