



# Public Service Pensions Act 2013

## 2013 CHAPTER 25

### *Procedure for scheme regulations*

#### **23 Procedure for retrospective provision**

- (1) Where the responsible authority proposes to make scheme regulations containing retrospective provision which appears to the authority to have significant adverse effects in relation to the pension payable to or in respect of members of the scheme, the authority must first obtain the consent of the persons referred to in subsection (3).
- (2) Where the responsible authority proposes to make scheme regulations containing retrospective provision which appears to the authority—
  - (a) not to have significant adverse effects as specified in subsection (1), but
  - (b) to have significant adverse effects in any other way in relation to members of the scheme (for example, in relation to injury or compensation benefits),the authority must first consult the persons specified in subsection (3) with a view to reaching agreement with them.
- (3) The persons referred to in subsections (1) and (2) are the persons (or representatives of the persons) who appear to the responsible authority to be likely to be affected by the provision if it were made.
- (4) The responsible authority must, in a case falling within subsection (1) or (2), lay a report before the appropriate legislature (as defined in section 22).
- (5) In a case falling within subsection (1) or (2) there is no requirement to consult under section 21(1).