



Public Service Pensions and Judicial Offices Act 2022

2022 CHAPTER 7

PART 1

PUBLIC SERVICE PENSION SCHEMES

CHAPTER 4

GENERAL

Restriction of schemes from 31 March 2022

88 Restriction of existing schemes

(1) PSPA 2013 is amended in accordance with subsections (2) and (3).

(2) In section 18 (restriction of existing pension schemes)—

- (a) in subsection (4), omit the words after paragraph (b);
- (b) after subsection (4) insert—

“(4A) Subsection (1) does not apply, and is treated as never having applied, in relation to a person’s service that is pensionable service under an existing scheme by virtue of—

- (a) section 2(1) of PSPJOA 2022 (remediable service treated as pensionable service under Chapter 1 legacy scheme), or
- (b) section 42(2) of that Act (remediable service treated as pensionable service under judicial legacy scheme).

For further provision affecting the application of subsection (1), see section 89(1) of that Act.”;

- (c) omit subsections (5) to (8).

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- (3) In section 31 (restriction of certain existing public body pension schemes) in subsection (4) omit the words from “, and section 18(6) and (7)” to the end.
- (4) PSPA(NI) 2014 is amended in accordance with subsections (5) and (6).
- (5) In section 18 (restriction of existing pension schemes)—
- (a) in subsection (4), omit “This is subject to subsection (8).”;
 - (b) after subsection (4) insert—
 - “(4A) Subsection (1) does not apply, and is treated as never having applied, in relation to a person’s service that is pensionable service under an existing scheme by virtue of—
 - (a) section 2(1) of PSPJOA 2022 (remediable service treated as pensionable service under Chapter 1 legacy scheme), or
 - (b) section 42(2) of that Act (remediable service treated as pensionable service under judicial legacy scheme).

For further provision affecting the application of subsection (1), see section 89(4) of that Act.”;
 - (c) omit subsections (5) to (9).
- (6) In section 32 (restriction of certain existing public body pension schemes), in subsection (4) omit the words from “and section 18(7) and (8)” to the end.
- (7) In consequence of the amendments made by the preceding provisions of this section, in JUPRA 1993, in section 18A (pension scheme for fee-paid judges), omit subsections (4) and (5).

89 Restriction of existing schemes: savings and transitional provision

- (1) The repeal made by section 88(2)(c) of section 18(5) to (8) of PSPA 2013 (which removes the power to provide for exceptions to section 18(1) of that Act and which, accordingly, has the effect that any exceptions previously provided for under the power lapse) is subject to the following savings and transitional provision.
- (2) The repeal does not affect—
- (a) the continued operation of any scheme regulations made before the coming into force of the repeal so far as they provide for benefits to be provided under an existing scheme to or in respect of a person in relation to the person’s service before 1 April 2022;
 - (b) any power to make scheme regulations under which benefits are provided to or in respect of a person in relation to service on or after 1 April 2022 which is transferred in from a pension scheme which is not a scheme under section 1 of PSPA 2013 or section 1 of PSPA(NI) 2014;
 - (c) any power to make scheme regulations under which benefits are provided to or in respect of a person in relation to service before 1 April 2022 where the accrual rate is affected by the length of the person’s period of service (including a period after that date).
- (3) In subsection (2)—
- “existing scheme” has the same meaning as in PSPA 2013 (see section 18(2) of that Act);

“scheme regulations” has the same meaning as in PSPA 2013 (see section 1(4) of that Act).

- (4) The repeal made by section 88(5)(c) of section 18(5) to (9) of PSPA(NI) 2014 (which removes the power to provide for exceptions to section 18(1) of that Act and which, accordingly, has the effect that any exceptions previously provided for under the power lapse) is subject to the following savings and transitional provision.
- (5) The repeal does not affect—
- (a) the continued operation of any scheme regulations made before the coming into force of the repeal so far as they provide for benefits to be provided under an existing scheme to or in respect of a person in relation to the person’s service before 1 April 2022;
 - (b) any power to make scheme regulations under which benefits are provided to or in respect of a person in relation to service on or after 1 April 2022 which is transferred in from a pension scheme which is not a scheme under section 1 of PSPA(NI) 2014 or section 1 of PSPA 2013;
 - (c) any power to make scheme regulations under which benefits are provided to or in respect of a person in relation to service before 1 April 2022 where the accrual rate is affected by the length of the person’s period of service (including a period after that date).
- (6) In subsection (5)—
- “existing scheme” has the same meaning as in PSPA(NI) 2014 (see section 18(2) of that Act);
 - “scheme regulations” has the same meaning as in PSPA(NI) 2014 (see section 1(4) of that Act).

90 Restriction of other schemes

- (1) No benefits are to be provided under a relevant scheme to or in respect of a person in relation to the person’s service after 31 March 2022.
- (2) In subsection (1), “relevant scheme” means—
- (a) the Judicial Pensions Regulations 2015 ([S.I. 2015/182](#)),
 - (b) the Judicial Pensions Regulations (Northern Ireland) 2015 ([S.R. \(N.I.\) 2015 No. 76](#)),
 - (c) the scheme constituted by Parts 1 to 11 of the Judicial Pensions (Fee-Paid Judges) Regulations 2017 ([S.I. 2017/522](#)), or
 - (d) the pension scheme established for certain employees of the Secret Intelligence Service which came into operation on 1 January 1946 and was amended on 1 September 1957 and 1 July 1964.
- (3) In subsection (1), the reference to benefits in relation to a person’s service includes benefits relating to the person’s death in service.

91 Prohibition of new arrangements to pay voluntary contributions

- (1) No arrangements are to be entered into after 31 March 2022 under which voluntary contributions are payable by a member of a relevant scheme to the scheme.
- (2) In subsection (1) “relevant scheme” means—
- (a) a Chapter 1 legacy scheme (within the meaning of Chapter 1),

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- (b) a judicial legacy salaried scheme (within the meaning of Chapter 2),
 - (c) a local government legacy scheme (within the meaning of Chapter 3),
 - (d) the Judicial Pensions Regulations 2015 ([S.I. 2015/182](#)),
 - (e) the Judicial Pensions Regulations (Northern Ireland) 2015 ([S.R. \(N.I.\) 2015 No. 76](#)), or
 - (f) the pension scheme established for certain employees of the Secret Intelligence Service which came into operation on 1 January 1946 and was amended on 1 September 1957 and 1 July 1964.
- (3) Subsection (1)—
- (a) does not affect the continued operation after 31 March 2022 of any arrangements entered into on or before that date;
 - (b) does not apply to arrangements entered into by virtue of section 25 or 60 (remedial arrangements to pay voluntary contributions).