



Public Service Pensions and Judicial Offices Act 2022

2022 CHAPTER 7

PART 1

PUBLIC SERVICE PENSION SCHEMES

CHAPTER 4

GENERAL

Miscellaneous

102 Power of Department of Finance to make scheme for compensation

- (1) The Department of Finance in Northern Ireland may by regulations make provision for a compensation scheme under which amounts are paid by way of compensation in respect of compensatable losses incurred by relevant members.
- (2) The provision that may be made under subsection (1) includes—
 - (a) provision appointing a body to administer the scheme;
 - (b) provision establishing a body for that purpose and making such provision in relation to the appointment of members, staffing, expenditure, procedure and otherwise as the Department of Finance in Northern Ireland considers appropriate;
 - (c) provision allowing the body administering the scheme to exercise a discretion;
 - (d) provision conferring power on the Department of Finance in Northern Ireland to give guidance or directions to the body administering the scheme;
 - (e) any provision that could be included in—

Status: This is the original version (as it was originally enacted).

- (i) regulations made by virtue of section 26 (interest and process) in relation to amounts payable under section 23 (power to pay compensation), or
 - (ii) regulations made by virtue of section 61 (interest and process) in relation to amounts payable under section 59 (power to pay compensation).
- (3) In this section “compensatable loss” means—
 - (a) a compensatable loss for the purposes of section 23 (power to pay compensation under Chapter 1),
 - (b) a compensatable loss for the purposes of section 59 (power to pay compensation under Chapter 2), or
 - (c) a compensatable loss for the purposes of section 82 (power to pay compensation under Chapter 3).
- (4) In this section “relevant member” means—
 - (a) a member of a Chapter 1 legacy scheme within section 33(2)(b) or (3)(b) who has remediable service that is pensionable service under the scheme,
 - (b) a member of a judicial scheme within section 70(2)(b) or (4)(b) who has remediable service that is pensionable service under the scheme, or
 - (c) a member of a local government new scheme within section 86(2)(b) who has remediable service that is pensionable service under the scheme.
- (5) In subsection (4)—
 - (a) in paragraph (a), “Chapter 1 legacy scheme” and “remediable service” have the same meaning as in Chapter 1;
 - (b) in paragraph (b), “judicial scheme” and “remediable service” have the same meaning as in Chapter 2;
 - (c) in paragraph (c), “local government new scheme” and “remediable service” have the same meaning as in Chapter 3.
- (6) Regulations under this section are subject to the negative procedure.