



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

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

Status: This is the original version (as it was originally enacted).

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).