
STATUTORY INSTRUMENTS

2005 No. 1923

The Occupational Pension Schemes (Equal Treatment) (Amendment) Regulations 2005

PART 4

EQUALITY CLAUSE: SERVICE IN ARMED FORCES

Claims by pensioner members relating to contraventions of terms as to treatment

15.—(1) In the case of a claim that—

- (a) is made in respect of a contravention of a pension-related term of service that relates to the terms on which members of an armed forces scheme are treated; and
- (b) is made by a pensioner member,

section 7A of the Equal Pay Act shall have effect as if it were further modified as follows.

(2) In subsection (9), after “A woman” insert “who is a pensioner member”.

(3) After subsection (9) insert—

“(9A) Where a court or employment tribunal awards a payment by way of arrears of benefits or damages, the employer shall provide any such resources to the armed forces scheme as are specified in subsection (9B) below.

(9B) The resources referred to in subsection (9A) above are such additional resources, if any, as may be necessary for the scheme to secure to the pensioner member the payment of the amount awarded, without contribution or further contribution by the pensioner member or by other members of the scheme.”.