

2013 No. 1609

PENSIONS

**The Superannuation (Admission to Schedule 1 to the
Superannuation Act 1972) Order 2013**

<i>Made</i> - - - -	<i>2nd July 2013</i>
<i>Laid before Parliament</i>	<i>3rd July 2013</i>
<i>Coming into force</i> - -	<i>25th July 2013</i>

The Minister for the Civil Service, in exercise of the powers conferred by section 1(5) and 1(8)(a) of the Superannuation Act 1972(a) and now vested in him(b) makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Superannuation (Admission to Schedule 1 to the Superannuation Act 1972) Order 2013 and shall come into force on 25th July 2013, but shall have effect, as appropriate, from the dates specified in this Order.

(2) In this Order, “the Act” means the Superannuation Act 1972.

Employments

2.—(1) Section 1 of the Act applies to the following employments with effect from the dates specified below—

- (a) employment by the Commission for Ethical Standards in Public Life in Scotland, with effect from 1st April 2011;
- (b) employment by the Director of Fair Access to Higher Education, with effect from 1st April 2012; and
- (c) employment with the Comisiynydd y Gymraeg (Welsh Language Commissioner) with effect from 1st April 2012.

(2) Accordingly, Schedule 1 to the Act is amended by inserting, in the appropriate place in the list of “Royal Commissions and other Commissions” and with effect from 1st April 2011, the entry “Employment by the Commission for Ethical Standards in Public Life in Scotland”.

(3) Accordingly, Schedule 1 to the Act is further amended by inserting, in the appropriate places in the list of “Other Bodies” and with effect from 1st April 2012, the entries—

- (a) “Employment by the Director of Fair Access to Higher Education”; and
- (b) “Employment by the Comisiynydd y Gymraeg (Welsh Language Commissioner)”.

(a) 1972 c.11. The power to make retrospective provision is contained in section 1(8)(a).
(b) See article 2(1)(c) of the Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670) and article 3 of the Transfer of Functions (Treasury and Minister for the Civil Service) Order 1995 (S.I. 1995/269).

Offices

3.—(1) Section 1 of the Act applies to the following offices with effect from the dates specified below—

- (a) Her Majesty’s Chief Inspector of Probation for England and Wales, with effect from 3rd June 2011;
- (b) the Prisons and Probation Ombudsman for England and Wales, with effect from 23rd May 2011; and
- (c) the Comisiynydd y Gymraeg (Welsh Language Commissioner), with effect from the 1st April 2012.

(2) Accordingly, Schedule 1 to the Act is further amended by inserting, in the appropriate places in the list of “Offices” and with effect from the relevant dates specified in article 3(1), the entries—

- (a) “Her Majesty’s Chief Inspector of Probation for England and Wales”;
- (b) “Prisons and Probation Ombudsman for England and Wales”; and
- (c) “Comisiynydd y Gymraeg (Welsh Language Commissioner)”.

Removals

4. The following entries are removed from Schedule 1 to the Act—

- (a) in the list of “Royal Commissions and other Commissions”, with effect from 31st March 2011, the entry “Commission for Architecture and the Built Environment”;
- (b) in the list of “Other Bodies”, the entries—
 - (i) “Children’s Workforce Development Council”, with effect from 31st March 2012;
 - (ii) “Employment by the Commissioner for Public Appointments in Scotland”, with effect from 31st March 2011;
 - (iii) “Employment by the Scottish Parliamentary Standards Commissioner”, with effect from 31st March 2011;
 - (iv) “The School Food Trust”, with effect from 31st March 2011; and
 - (v) “Bwrdd yr Iaith Gymraeg (Welsh Language Board)”, with effect from 31st March 2011;
- (c) in the list of “Offices”, with effect from 31st March 2011, the entries—
 - (i) “The Chief Investigating Officer of the Standards Commission for Scotland”;
 - (ii) “The Commissioner for Public Appointments in Scotland”; and
 - (iii) “The Scottish Parliamentary Standards Commissioner”.

2nd July 2013

Francis Maude
for the Minister for the Civil Service

EXPLANATORY NOTE

(This note is not part of the Order)

Section 1 of the Superannuation Act 1972 (“the Act”) permits the Minister for the Civil Service to make schemes which make provision for pension and other benefits in respect of civil servants and persons serving in an office or employment listed in Schedule 1 to the Act. The Principal Civil Service Pension Scheme, the Civil Service Additional Voluntary Contribution Scheme, the Civil Service Compensation Scheme and the Civil Service Injury Benefit Scheme are some of the schemes which have been made under section 1 of the Act.

This Order adds to the list of employments in Schedule 1 to the Act employment by the Commission for Ethical Standards in Public Life in Scotland, the Director of Fair Access to Higher Education (as part of the Office for Fair Access), and the Comisiynydd y Gymraeg (Welsh Language Commissioner).

This Order also adds to the list of offices in Schedule 1 to the Act Her Majesty's Chief Inspector of Probation for England and Wales, the Prisons and Probations Ombudsman for England and Wales, and the Comisiynydd y Gymraeg (Welsh Language Commissioner).

The addition of these employments and offices to Schedule 1 to the Act makes the persons serving in the employments and offices eligible to be members of schemes made under section 1 of the Act, subject to the rules of these schemes.

Employment by the Commission for Architecture and the Built Environment, the Children's Workforce Development Council, the Commissioner for Public Appointments in Scotland, the Scottish Parliamentary Standards Commissioner, the School Food Trust, and the Bwrdd yr Iaith Gymraeg (Welsh Language Board) is removed from those listed in Schedule 1 to the Act. The Order also removes the offices of Chief Investigating Officer of the Standards Commission for Scotland, the Commissioner for Public Appointments in Scotland, and the Scottish Parliamentary Standards Commissioner from Schedule 1 to the Act.

The changes to Schedule 1 to the Act made by this Order have effect from dates that are before the date this Order is made. This is authorised by section 1(8)(a) of the Act.

An impact assessment has not been prepared for this Order as no impact upon the private or voluntary sectors is foreseen.

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