



Pensions Act 1995

1995 CHAPTER 26

PART IV

MISCELLANEOUS AND GENERAL

Official and public service pensions

^{F1}170 Pensions for dependants of the Prime Minister etc.

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Textual Amendments

F1 S. 170 repealed (25.4.2013) by [Public Service Pensions Act 2013 \(c. 25\)](#), s. 41(1)(b), [Sch. 11 para. 7](#) (with [Sch. 11 para. 8](#))

171 Equal treatment in relation to official pensions.

- (1) Section 3 of the ^{M1}Pensions (Increase) Act 1971 (qualifying conditions for pensions increase) is amended as follows.
- (2) In subsection (2)(c), “ is a woman who ” is omitted.
- (3) In subsection (10)—
 - (a) for “woman is in receipt of a pension” there is substituted “ person is in receipt of a pension the whole or any part ”, and
 - (b) for “woman and that pension” there is substituted “ person and that pension or part ”.
- (4) In subsection (11)—
 - (a) for “woman’s” there is substituted “ person’s ”, and
 - (b) for “woman” there is substituted “ person ”, and accordingly for “she” there is substituted “ he ”.

Changes to legislation: Pensions Act 1995, Cross Heading: Official and public service pensions is up to date with all changes known to be in force on or before 12 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (5) This section shall have effect, and shall be deemed to have had effect, in relation to pensions commencing after 17th May 1990, and in relation to so much of any such pension as is referable to service on or after that date.

Marginal Citations

M1 1971 c. 56.

172 Information about public service schemes.

- (1) In prescribed circumstances, the Secretary of State may provide information to any prescribed person in connection with the following questions—

- (a) whether an individual who during any period—
- (i) has been eligible to be an active member of an occupational pension scheme under the ^{M2}Superannuation Act 1972, but
 - (ii) has instead made contributions to a personal pension scheme, has suffered loss as a result of a contravention which is actionable under section 62 of the ^{M3}Financial Services Act 1986 [^{F2}or under [^{F3}section 138D] of the Financial Services and Markets Act 2000] (actions for damages in respect of contravention of rules etc. made under the Act), and
- (b) if so, what payment would need to be made to the occupational scheme in respect of the individual to restore the position to what it would have been if the individual had been an active member of the occupational scheme throughout the period in question,

and may impose on that person reasonable fees in respect of administrative expenses incurred in providing that information.

- (2) Where—

- (a) such an individual as is mentioned in subsection (1) is admitted or readmitted as an active member of an occupational pension scheme under the ^{M4}Superannuation Act 1972, or
- (b) a payment is made to the Secretary of State in respect of such an individual for the purpose mentioned in paragraph (b) of that subsection,

the Secretary of State may impose on any prescribed person reasonable fees in respect of administrative expenses incurred in connection with the admission, readmission or payment.

- (3) In the case of an occupational pension scheme under section 1 of the Superannuation Act 1972 (superannuation of civil servants), the references in subsections (1) and (2) to the Secretary of State shall be read as references to the Minister for the Civil Service, or such person as may be prescribed.
- (4) In the case of an occupational pension scheme under section 7 of the Superannuation Act 1972 (superannuation of persons employed in local government etc.), the references in subsections (1) and (2) to the Secretary of State shall be read as references to a prescribed person.
- (5) In this section—
- “prescribed” means—

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- (i) in the case of a scheme made under section 1 of the Superannuation Act 1972, prescribed by a scheme made by the Minister for the Civil Service, or
 - (ii) in any other case, prescribed by regulations made by the Secretary of State, and
- “active member”, in relation to an occupational pension scheme, has the same meaning as in Part I.

Textual Amendments

- F2** Words in s. 172(1)(a) inserted (1.12.2001) by [The Financial Services and Markets Act 2000 \(Consequential Amendments and Repeals\) Order 2001 \(S.I. 2001/3649\)](#), arts. 1, **148**
- F3** Words in s. 172(1)(a) substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#), s. 122(3), **Sch. 18 para. 82(3)** (with [Sch. 20](#)); S.I. 2013/423, art. 3, Sch.

Marginal Citations

- M2** 1972 c. 11.
- M3** 1986 c. 60.
- M4** 1972 c. 11.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- [Blanket amendment words substituted by S.I. 2011/1043 art. 36](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- [s. 37\(1A\)\(b\) inserted by 2015 c. 8 Sch. 2 para. 7\(b\)](#)
- [s. 51\(5A\)-\(5C\) inserted by 2015 c. 8 s. 43\(1\)](#)
- [s. 51\(7A\) inserted by 2015 c. 8 s. 41\(1\)\(b\)](#)
- [s. 51\(9\)\(10\) inserted by 2015 c. 8 s. 42\(3\)](#)
- [s. 67A\(3\)\(aa\)-\(ac\) inserted by 2015 c. 8 s. 45\(3\)](#)
- [s. 67A\(9\)\(a\)\(viii\)-\(x\) inserted by 2015 c. 8 s. 45\(6\)\(a\)](#)
- [s. 67A\(9\)\(b\)\(vi\)-\(viii\) inserted by 2015 c. 8 s. 45\(6\)\(b\)](#)
- [s. 73\(2\)\(2A\) substituted for s. 73\(2\) by 2015 c. 8 Sch. 2 para. 11](#)
- [s. 75\(1\)-\(1B\) substituted for s. 75\(1\) by 2015 c. 8 Sch. 2 para. 12](#)
- [s. 175\(2\)\(ca\) inserted by 2004 c. 35 s. 240\(2\)](#)
- [s. 175\(2\)\(za\) inserted by 2015 c. 8 s. 43\(2\)](#)