
*Changes to legislation: There are currently no known outstanding effects for the
Constitutional Reform and Governance Act 2010, Part 2. (See end of Document for details)*

SCHEDULES

SCHEDULE 6

PARLIAMENTARY AND OTHER PENSIONS

PART 2

PROVISION WHICH MAY BE INCLUDED IN SCHEMES

Introductory

- 23 (1) In this Part of this Schedule “relevant service”—
- (a) for the purposes of paragraph 14(1)(a), means service as a member of the House of Commons, and
 - (b) for the purposes of paragraph 17(1)(a), means service to which paragraph 16 applies.
- (2) Expressions defined in relation to Part 1 of this Schedule have the same meaning in this Part of this Schedule as in that Part.

Commencement Information

I1 Sch. 6 para. 23 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(ii)

Contributions

- 24 Provision authorising or requiring contributions and other sums to be paid into the Fund by or on behalf of persons in relevant service, including provision for those contributions and sums to be paid—
- (a) by deductions from salary;
 - (b) in the case of a person who does not draw a salary, out of money provided by Parliament.

Commencement Information

I2 Sch. 6 para. 24 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(ii)

Conditions etc

- 25 Provision as to—
- (a) the circumstances in which there is to be entitlement to a pension payable out of the Fund;
 - (b) the conditions of any such entitlement;

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- (c) the persons to or for the benefit of whom such a pension is payable;
- (d) the calculation of the amount of any such pension;
- (e) the payment or commutation of any such pension.

Commencement Information

I3 Sch. 6 para. 25 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(ii)

Pensions not paid out of Fund

- 26 (1) Provision for the application of assets of the Fund in or towards the provision of pensions to be paid otherwise than out of the Fund.
- (2) In connection with such provision, provision for the payment into the Fund out of money provided by Parliament of sums in addition to those paid into the Fund under paragraph 10.

Commencement Information

I4 Sch. 6 para. 26 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(ii)

Transfer values

- 27 (1) Provision for the payment and receipt of transfer values by the trustees of the Fund (including provision for the payment of such values into the Consolidated Fund).
- (2) Provision for the transfer and receipt by the trustees of the Fund of funds or policies of insurance in lieu of transfer values.

Commencement Information

I5 Sch. 6 para. 27 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(ii)

Service

- 28 Provision authorising service other than relevant service to be taken into account, in addition to relevant service, for the purposes of any provision of the scheme.

Commencement Information

I6 Sch. 6 para. 28 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(ii)

Repayments

- 29 (1) Provision as to the circumstances and manner in which amounts equal to some or all of the contributions and other sums paid by or on behalf of a person into the Fund may be repaid or paid to that person.
- (2) Provision as to the circumstances and manner in which any such amounts are to be paid out of the Consolidated Fund in respect of transfer values paid into that Fund.

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- (3) Provision under sub-paragraph (1) or (2) may include provision as to whether any repayment or payment made under that provision is to be made with or without interest.

Commencement Information

I7 Sch. 6 para. 29 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(ii)

[^{F1}Pension age

Textual Amendments

F1 Sch. 6 para. 29A and preceding cross-heading inserted (31.7.2014) by Public Service Pensions Act 2013 (c. 25), ss. 34, 41(2) (with Sch. 11 para. 8); S.I. 2014/1912, art. 2

- 29A (1) Where the scheme provides for the normal or deferred pension age of a person under the scheme to be the same as the person's state pension age, provision for a change in the person's normal or deferred pension age in consequence of such provision to apply in relation to relevant accrued benefits (as well as other benefits).
- (2) Accordingly, paragraph 19(2) (protection of accrued rights) is to be disregarded in relation to any such provision.
- (3) In this paragraph—
- (a) “ normal pension age ”, in relation to a person and a scheme, means the earliest age at which a person with relevant service is entitled to receive benefits (without actuarial adjustment) on leaving that service (and disregarding any special provision as to early payment of benefits on the grounds of ill-health or otherwise);
 - (b) “ deferred pension age ”, in relation to a person and a scheme, means the earliest age at which a person with relevant service is entitled to receive benefits under the scheme (without actuarial adjustment) after leaving that service at a time before normal pension age (and disregarding any special provision as to early payment of benefits on the grounds of ill-health or otherwise);
 - (c) “ state pension age ”, in relation to a person, means the person's pensionable age as specified from time to time in Part 1 of Schedule 4 to the Pensions Act 1995;
 - (d) “ relevant accrued benefits ”, in relation to a scheme, means benefits accrued after the coming into force of provision under sub-paragraph (1) which may be paid to or in respect of the person under the scheme and to which the normal or deferred pension age is relevant.]

Assignment etc

- 30 Provision rendering void—
- (a) any assignment (or, in Scotland, assignation) of a pension which is payable or may become payable out of the Fund;
 - (b) any charge on such a pension;
 - (c) any agreement to assign or charge such a pension.

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Commencement Information

I8 Sch. 6 para. 30 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(ii)

Functions

- 31 Provision conferring functions under the scheme on persons specified in or determined under the scheme.

Commencement Information

I9 Sch. 6 para. 31 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(ii)

Approvals

- 32 Provision making the approval, satisfaction or opinion of persons on whom functions are conferred by or under the scheme material for the purposes of any provision of the scheme.

Commencement Information

I10 Sch. 6 para. 32 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(ii)

Payments without probate

- 33 Provision authorising (in relation to such cases, circumstances or persons as may be specified in or determined under the scheme) any sum due to be paid out of the Fund in respect of a person who has died to be paid without probate or other proof of title.

Commencement Information

I11 Sch. 6 para. 33 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(ii)

Application of other provisions

- 34 Provision which (with or without modifications) applies in relation to a pension payable out of the Fund so much of any enactment or subordinate legislation (whenever passed or made) as relates to another pension, being a pension payable out of money provided by Parliament.

Commencement Information

I12 Sch. 6 para. 34 in force at 24.10.2011 by S.I. 2011/2485, art. 2(1)(2)(b)(ii)

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