



Public Service Pensions and Judicial Offices Act 2022

2022 CHAPTER 7

PART 1

PUBLIC SERVICE PENSION SCHEMES

CHAPTER 3

LOCAL GOVERNMENT SCHEMES

Remediable service

77 Meaning of “remediable service”

- (1) For the purposes of this Chapter any continuous period of service of a person in an employment or office is “remediable service” in that employment or office if the following four conditions are met.
- (2) In this section “the service in question” means the service mentioned in subsection (1).
- (3) The first condition is that the service in question takes place in the period—
 - (a) beginning with the day after the closing date, and
 - (b) ending with 31 March 2022 or, if earlier, the date on which the person attains legacy scheme normal pension age.
- (4) The second condition is that the service in question is pensionable service under a local government new scheme (including where the service is excess teacher service that is so pensionable by virtue of section 2(1)).
- (5) The third condition is that the person was, on 31 March 2012 or any earlier day, in pensionable service under—
 - (a) a Chapter 1 legacy scheme (within the meaning of Chapter 1),

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions and Judicial Offices Act 2022, Cross Heading: Remediable service. (See end of Document for details)

- (b) a judicial legacy scheme (within the meaning of Chapter 2), or
 - (c) a local government legacy scheme.
- (6) The fourth condition is that there is no disqualifying gap in service falling within the period—
- (a) beginning with the day after the most recent day in relation to which the third condition is met, and
 - (b) ending with the day before the first day of the service in question.
- (7) In subsection (3)—
- “the closing date” means—
- (a) 31 March 2014 in relation to service which is pensionable service under regulations under section 7 of SA 1972 which relate to persons in England and Wales;
 - (b) 31 March 2015 in relation to service which is pensionable service under any other local government new scheme;
- “legacy scheme normal pension age” means—
- (a) in a case in which the person meets the third condition in relation to a local government legacy scheme, the person’s normal pension age under that scheme;
 - (b) otherwise, the age of 65.
- (8) In subsection (6) “disqualifying gap in service” means a period longer than 5 years at no time during which is the person in service in an employment or office which—
- (a) is pensionable service under—
 - (i) a Chapter 1 scheme (within the meaning of Chapter 1),
 - (ii) a judicial scheme (within the meaning of Chapter 2), or
 - (iii) a local government scheme,
 - (b) is, as a result of a Fair Deal transfer, pensionable service under a Fair Deal scheme, or
 - (c) is, as a result of a local government contracting-out transfer, pensionable service under a pension scheme that offers pension arrangements that are broadly comparable with those offered to the person before the transfer.

Commencement Information

- I1** S. 77 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)
- I2** S. 77 in force at 1.10.2023 in force in so far as not already in force (or on such earlier day as may be appointed), see [s. 131\(2\)\(d\)\(e\)](#)

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