
STATUTORY INSTRUMENTS

2012 No. 687

POSTAL SERVICES

**The Postal Services Act 2011 (Transfer
of Accrued Pension Rights) Order 2012**

Made - - - - - *8th March 2012*

Laid before Parliament *9th March 2012*

*Coming into force in accordance with article 1(2) to
(4)*

**THE POSTAL SERVICES ACT 2011 (TRANSFER
OF ACCRUED PENSION RIGHTS) ORDER 2012**

1. Citation and commencement
2. Interpretation
3. Establishment of the RMSPS
4. Amendments to the RMSPS are subject to the restrictions set...
5. Transfer of qualifying accrued rights from RMPP to RMSPS
6. Schedule 3 makes provision for the transfer to the RMSPS...
7. Discharge of Trustee
8. For the purposes of article 7, the “Trustee of the...
9. Application of occupational pensions legislation to RMSPS
10. The RMSPS is to be treated as a salary-related contracted...
11. Amendments to the RMPP
12. The Security Agreements, as defined in Schedule 5, which relate...
13. Participation of POL in the RMPP and division of the RMPP into different sections
14. POL is admitted to participation in the RMPP as an...
Signature

SCHEDULE 1 — The Royal Mail Statutory Pension Scheme Rules

PART I — **CLAUSES**

1. Purpose, definitions and interpretation
2. Civil Partners
3. Benefits payable in respect of Wholly Transferred Beneficiaries
4. Benefits payable in respect of Cut-Off Date Actives

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

5. New POL Scheme
6. Member choices and nominations made under the RMPP
7. Payment of benefits
8. Limitations of Claims
9. Augmentation and new benefits
10. Additional voluntary contributions transferred from the RMPP
11. Individual transfers out of the Scheme
12. Pension sharing on divorce
13. Overriding Finance Act 2004 Provisions
14. Contracting-out
15. Prevention of discrimination on grounds of age
16. Set-off for crime, fraud or negligence
17. Ambiguity, doubt or dispute
18. Preservation Laws
19. Surrender and Forfeiture Laws

PART II — THE GENERAL RULES OF THE SCHEME

1. Application of the General Rules
2. RMSPS Reckonable Service
3. Refund of contributions
4. Payment of benefits
5. Non-assignability of benefits and forfeiture
6. Member's power to place benefits within the Secretary of State's discretion
7. Application of Sections A and B – election for Section B benefits
8. Delay in payment
9. Added Years
10. Provisions relating to application of General Rules 11 to 16
11. Widows' pensions: Members' choices
12. Members' choice of methods of payment of contributions
13. Plan M
14. Plan U
15. Plan L
16. Election for Widower's pension in respect of service prior to 1 December 1971

PART III — SECTION A RULES OF THE SCHEME

1. Application
2. Benefits of Section A Actives under the RMSPS
3. Pensions increase
4. Payment of RMSPS benefits

PART IV — SECTION B RULES OF THE SCHEME

1. Application
2. Definitions and interpretation
3. Benefits payable to Members on retirement
4. Payment of RMSPS benefits, retirement options and flexible retirement
5. Benefits payable to Members who retire on ill health grounds or compassionate grounds
6. Benefits payable to Members who retire under the RMPP in the interests of efficiency
7. Benefits payable to Members who retire under the RMPP on redundancy
8. Benefits payable to Members who take early voluntary retirement under the RMPP
9. Lump sum benefits payable on death of a Member
10. Service in unhealthy places
11. Spouse's pension

12. Spouse's pension for Relevant Members
13. Provisions applicable to Rules 11 and 12
14. Children's pensions
15. Dependants' pensions
16. Surrender of part pension to provide for a spouse or other Dependant
17. Conversion of lump sum into pension
18. Commutation of pension
19. Pensions increase
20. Terminal illness

PART V — SECTION C RULES OF THE SCHEME

1. Application
2. Definitions and interpretation
3. Benefits payable to Members on retirement
4. Payment of RMSPS benefits, retirement options and flexible retirement
5. RMSPS Pension Supplement
6. Late retirement
7. Early retirement through incapacity
8. Choosing a lump sum benefit
9. Lump sum death benefits
10. Discretionary trusts
11. Pensions for spouses, children and dependants
12. Spouse's pension and dependants' pension
13. Children's pensions
14. Spouse's and children's pensions
15. Orphans
16. Revaluation of preserved pensions
17. Pension increases
18. Deduction of tax

PART VI — SECTION E RULES OF THE SCHEME

1. Application
2. Interpretation
3. Definition
4. Transfer of RMPP Reckonable Service
5. Section E benefits
6. Application of General Rules to Section E Members
7. Benefits on redundancy

PART VII — TRUSTS, POWERS AND PROVISIONS UPON, WITH AND SUBJECT TO WHICH THE DESIGNATED SUM IS TO BE HELD IN PURSUANCE OF A DIRECTION GIVEN BY A MEMBER UNDER GENERAL RULE 6

1. (1) The persons appointed for such purposes by the Secretary...

PART VIII — LIST OF COUNTRIES AND PLACES TO WHICH SECTION B RULE 10 APPLIES

PART IX — OVERRIDING FINANCE ACT PROVISIONS

1. The provisions of this Part IX override any other provisions...
2. The RMSPS will be administered as a Registered pension scheme...
3. Subject to Clause 15(6) (Prevention of discrimination on grounds of...
4. The Secretary of State may use reasonable endeavours to rearrange...
5. Except as otherwise mentioned in this Part IX, the benefits,...
6. The Secretary of State may decide to waive or modify...
7. Except as specified in paragraph 7(h) below, the following provisions...
8. The Secretary of State may arrange the benefits under the...
9. If any Member or any other person entitled to a...

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

10. The Secretary of State may determine any matters of ambiguity...

SCHEDULE 2 — Restrictions on amendments to the RMSPS

1. (1) In this Schedule— “Actuarial Equivalence Requirements” has the meaning...
2. (1) A Regulated Modification may be made to the RMSPS...
3. (1) An RMPP Restricted Modification (other than a modification within...
4. If a Regulated Modification or an RMPP Restricted Modification is...
5. Any of the requirements mentioned in paragraphs 2(1)(c) and 3(1)(b)...
6. Subject to paragraph 7, the “Informed Consent Requirement” is satisfied...
7. If— (a) the modification is not a Protected Modification; and...
8. The Timing Requirement is satisfied in the case of an...
9. The Actuarial Equivalence Requirements consist of— (a) the Information Requirement;...
10. The Information Requirement is satisfied in the case of an...
11. The Actuarial Value Requirement is satisfied in the case of...
12. The Actuarial Equivalence Statement Requirement is satisfied in the case...
13. An Actuarial Equivalence Statement means a statement in writing which —...
14. For the purposes of paragraphs 11 and 13 as they...
15. The Information Requirement is to be taken to have been...
16. The Secretary of State is to be regarded as having...
17. When making any calculation for the purposes of paragraphs 11,...
18. Nothing in paragraphs 12 and 13 precludes Actuarial Equivalence Statements...
19. The Reporting Requirement is satisfied in relation to the exercise...
20. The Secretary of State must give (or, where the Actuarial...

SCHEDULE 3 — Pension sharing orders, pension attachment orders and other orders related to earnings

1. Interpretation
2. Pension Sharing Orders
3. A Pension Sharing Order made on or before the Cut-Off...
4. A Pension Sharing Order made after the Cut-Off Date in...
5. The amount specified by a Relevant Scottish Order shall be...
6. Cash equivalents shall be calculated for the purposes of paragraph...
7. Pension Attachment Orders
8. A Pension Attachment Order made on or before the Cut-Off...
9. A Pension Attachment Order made on or before the Cut-Off...
10. Orders for deductions from earnings
11. Money purchase benefits
12. No further obligations of the RMPP

SCHEDULE 4 —

PART I — **OCCUPATIONAL PENSIONS LEGISLATION APPLICABLE TO RMPS**

1. Interpretation
2. Matrimonial Causes Act 1973
3. Matrimonial Causes (Northern Ireland) Order 1978
4. Family Law (Scotland) Act 1985
5. Pension Schemes Act 1993
6. Pensions Act 1995
7. Welfare Reform and Pensions Act 1999

8. Welfare Reform and Pensions (Northern Ireland) Order 1999
9. Civil Partnership Act 2004
10. Equality Act 2010

**PART II — TREATING THE RMSPS AS A SALARY-RELATED
CONTRACTED-OUT SCHEME**

11. Interpretation
12. Application of contracting-out legislation to the RMSPS
13. The provisions of the 1993 Act referred to in paragraph...
14. In its application to the RMSPS, section 13(5) of the...
15. The regulations referred to in paragraph 12 are—

SCHEDULE 5 — Release of security

1. Interpretation
2. Amendments to Security Agreements
3. The Trustee, RMH, RMES and RMG shall be required as...
4. RMH Escrow Reserve

Explanatory Note