

## **THE PRINCIPAL CIVIL SERVICE PENSION SCHEME (AMENDMENT) SCHEME 2013**

**Laid before Parliament on Monday 13 May 2013 under section 2(11) of the  
Superannuation Act 1972**

The Minister for the Civil Service, in exercise of the powers conferred by sections 1, 2(4) and 2(9) of the Superannuation Act 1972<sup>(a)</sup> and now vested in him<sup>(b)</sup>, after consultation with persons appearing to the Minister to represent persons likely to be affected by it, makes the following scheme, which shall form part of the Principal Civil Service Pension Scheme within the meaning of section 2 of that Act:

**1.**—(1) This scheme may be cited as the Principal Civil Service Pension Scheme (Amendment) Scheme 2013.

(2) This scheme shall come into operation on 13 May 2013.

**2.** The Principal Civil Service Pension Scheme 1974, which was laid before Parliament on 19<sup>th</sup> November 1974 and was subsequently amended, shall have effect subject to the amendment in the Schedule to this scheme.

**3.** The amendment in the Schedule to this scheme shall have effect from 31<sup>st</sup> October 2012.

**Authorised on behalf of  
the Minister for the Civil Service**

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<sup>(a)</sup> 1972 c.11.

<sup>(b)</sup> See article 2(1)(c) of S.I. 1981/1670 and article 3 of S.I. 1995/269.

**SCHEDULE**  
*(with effect from 31 October 2012)*

**General Provisions Section**

**New Part D**

Insert after rule C.4—

**“Part D**  
**Automatic Enrolment**

**D.1 Automatic enrolment and automatic re-enrolment**

- (1) When arrangements are made by employers for the automatic enrolment or automatic re-enrolment of jobholders into the Scheme pursuant to the requirements of Chapter 1 of Part 1 of the Pensions Act 2008, then for the purposes of Chapter 1 of Part 1 of that Act—
  - (a) a jobholder whose age is under 22 is deemed to be over 22;
  - (b) a jobholder who has reached pensionable age is deemed not to have reached pensionable age; and
  - (c) a jobholder whose earnings payable by the employer are equal to or less than the amount set out in sections 3(1)(c) and 5(1)(c) of the Pensions Act 2008 (as applied by sections 3(6B) and 5(7B) of that Act where applicable) in the relevant pay reference period, is deemed to have earnings payable by the employer of more than that amount in that period.
- (2) Paragraph 1 does not apply when the automatic enrolment provisions in section 3 of the Pensions Act 2008 are applied to a jobholder who has exercised the right under section 8 of that Act to opt out of the scheme following automatic enrolment or automatic re-enrolment.
- (3) The Minister may apply this rule with such modifications as the Minister considers appropriate.
- (4) In this rule—
  - (a) “earnings”, “employer”, “jobholder”, and “pensionable age” have the same meanings as in Chapter 1 of Part 1 of the Pensions Act 2008; and
  - (b) “relevant pay reference period” has the same meaning as in regulations made under section 15 of the Pensions Act 2008 for the purposes of section 3(1)(c) of that Act.

## **EXPLANATORY NOTE**

*(This Explanatory Note does not form part of the Scheme)*

The Schedule to this Scheme amends the rules of the Principal Civil Service Pension Scheme (the “PCSPS”) from 13 May 2013. It has effect from 31st October 2012 (section 2(4) of the Superannuation Act 1972 allows a scheme to have effect from a date earlier than the date on which it is made).

The amendment allows employers participating in the PCSPS to make arrangements to enrol automatically, and automatically re-enrol, jobholders who are not obliged to be enrolled, or re-enrolled, under the Pensions Act 2008 because:

- (a) they are under 22;
- (b) they have reached pensionable age; or
- (c) their earnings payable by the employer are equal to or less than the amount specified in sections 3(1)(c) and 5(1)(c) of the Pensions Act 2008 (as applied by sections 3(6B) and 5(7B) of that Act where applicable) in the relevant pay reference period.