

# **THE PRINCIPAL CIVIL SERVICE PENSION SCHEME (AMENDMENT) SCHEME 2015**

**Laid before Parliament on [ ] 2015 under section 2(11) of the Superannuation Act 1972**

The Minister for the Civil Service, in exercise of the powers conferred by sections 1 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 2015.

(2) This scheme shall come into operation on 1st April 2015.

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

3. The amendments listed in the Schedule to this scheme have effect from 1st April 2015.

**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 1st April 2015)*

**2002 Section**

**Rule A.1**

In paragraph (4) of rule A.1, in the appropriate place, insert—

““the 2013 Act” means the Public Service Pensions Act 2013;”;

““the 2014 Regulations” means the Public Service (Civil Servants and Others) Pensions Regulations 2014;”;

““the 2015 Scheme” means the scheme established by the 2014 Regulations;”;

““full protection member” has the meaning given in paragraph 9 of Schedule 2 to the 2014 Regulations;”;

““ill-health protection member” means a member of this Section who would be entitled to be an active member of the 2015 Scheme but for the fact that—

- (a) an application for early payment of pension on the basis of ill-health under this Section has been made in respect of the member before the member’s transition date; and
- (b) a decision has not yet been made in relation to that application; or
- (c) the scheme medical adviser’s opinion is that the member does not satisfy the criteria for payment of the ill-health pension and all relevant appeal rights in relation to that opinion are not yet exhausted;”;

““tapered protection member” has the meaning given in paragraph 19 of Schedule 2 to the 2014 Regulations;”;

““transition date” in relation to a transition member has the meaning given in paragraph 1 of Schedule 2 to the 2014 Regulations;”;

““transition member” means a person—

- (a) who is a member of this Section by virtue of the person’s pensionable service under this Section before the person’s transition date or by virtue of deemed transfer scheme service under paragraph 2 of Schedule 7 to the 2013 Act (final salary link); and
- (b) who is a member of the 2015 Scheme by virtue of the person’s pensionable service under that Scheme;”.

**Rule A.4(1)**

In rule A.4(1)(c), for “and L.21” substitute “, L.21 and N.3”.

### **Rule B.1**

At the end of paragraph (1) of rule B.1 insert “This is subject to rule B.1B”.

### **New rule B.1B**

After rule B.1A insert—

#### **“B.1B Employment on and after 1st April 2015**

- (1) After 31st March 2015 no person is or is eligible to be in pensionable service under this Section unless the person is a protected member.
- (2) A person who ceases to be a protected member ceases to be or to be eligible to be in pensionable service under this Section (but see Part N for the application of the rules to transition members with continuity of service).
- (3) Where a person is not and is not eligible to be in pensionable service under this Section, that person—
  - (a) is not receiving earnings that are pensionable earnings for the purposes of this Section; and
  - (b) is not and is not eligible to be an active member of this Section, subject to Part N.
- (4) In this rule, “protected member” means a full protection member, a tapered protection member or an ill-health protection member in relation to this Section of the Scheme.”.

### **Rules C.1 and C.2 and new rule C.2A**

For Rules C.1 and C.2 substitute—

#### **“C.1 Rate of member contributions**

- (1) An active member of this Section must pay contributions to this Section of the scheme (“member contributions”) on the member’s pensionable earnings for each pay period at a rate determined under this rule (“member contributions rate”).
- (2) The member contributions rate which applies to a member’s pensionable earnings is the rate which applies when the member’s pensionable earnings are paid.
- (3) For the purposes of paragraph (2),

- (a) assumed pay for any pay period is treated as having been paid when pensionable earnings for that period would have been paid had the circumstances in rule A.3(2) which apply to the member not applied; and
  - (b) payment of the money value of any benefit in kind which forms part of a member's pensionable earnings is treated as having been made at a time or apportioned across a period of time as determined by the Minister.
- (4) The member contributions rate during a scheme year to which a table set out in this rule applies is the percentage, set out in the table, which applies to a member's annualised rate of pensionable earnings calculated in relation to each payment of a member's pensionable earnings.

- (5) Where the member's pensionable earnings for a scheme year are payable to the member in 12 instalments, the member's annualised rate of pensionable earnings is calculated as follows, rounded down to the nearest whole pound—

$$12P$$

where  $P$  is the amount of a payment of the member's pensionable earnings.

- (6) Where the member's pensionable earnings for a scheme year are payable otherwise than in 12 instalments, the member's annualised rate of pensionable earnings is calculated as follows, rounded down to the nearest whole pound—

$$P \times \frac{365}{N}$$

where—

$P$  is the amount of a payment of the member's pensionable earnings; and

$N$  is the number of days in the applicable payment period.

- (7) For the purposes of paragraph (6) the applicable payment period is—
- (a) if it is the member's first payment of pensionable earnings in relation to a continuous period of pensionable service in an employment in respect of which the person is an active member of this Section, the number of days in the period beginning on the day the member commenced the period of pensionable service in that employment and ending on the day before the day that this payment was made; or
  - (b) in any other case, the period beginning on the day the previous payment of the member's pensionable earnings was made and ending on the day before the day that this payment was made.

- (8) If the scheme year in which the payment of pensionable earnings is made includes 29th February, paragraph (6) has effect with the substitution for “365” of “366”.

**Scheme Year 1st April 2015 to 31st March 2016**

<i>Annualised rate of pensionable earnings</i>	<i>Member contributions rate</i>
Up to but not including £21,001	4.6%
£21,001 to but not including £47,001	5.45%
£47,001 to but not including £150,001	7.35%
£150,001 and above	8.05%

**Scheme year 1st April 2016 to 31st March 2017**

<i>Annualised rate of pensionable earnings</i>	<i>Member contributions rate</i>
Up to but not including £21,211	4.6%
£21,211 to but not including £48,472	5.45%
£48,472 to but not including £150,001	7.35%
£150,001 and above	8.05%

**Scheme Year 1st April 2017 to 31st March 2018**

<i>Annualised rate of pensionable earnings</i>	<i>Member contributions rate</i>
Up to but not including £21,423	4.6%
£21,423 to but not including £51,006	5.45%
£51,006 to but not including £150,001	7.35%
£150,001 and above	8.05%

## **Scheme Year 1st April 2018 to 31st March 2019**

<i>Annualised rate of pensionable earnings</i>	<i>Member contributions rate</i>
Up to but not including £21,637	4.6%
£21,637 to but not including £51,516	5.45%
£51,516 to but not including £150,001	7.35%
£150,001 and above	8.05%

### **C.2 Amount of pensionable earnings**

- (1) For the purpose of rule C.1, the amount of a member's pensionable earnings for any pay period is determined in accordance with this rule.
- (2) Unless paragraph (3) or (4) applies, the amount of the member's pensionable earnings during any period of assumed pay is equal to the member's assumed pay.
- (3) For any period of assumed pay under rule A.3(2)(b) (member on sick leave on reduced pay), the amount of the member's pensionable earnings is equal to the member's reduced pay while on sick leave.
- (4) For any period of assumed pay while the member is on ordinary maternity leave, ordinary adoption leave or paternity leave, the amount of the member's pensionable earnings is the amount of contractual remuneration or statutory pay actually paid to or for the member in respect of the period of leave.
- (5) For purposes of rule C.1(1), the pensionable earnings of a Class A member, other than a member to whom rule A.6(10) applies, may not exceed one twelfth of the permitted maximum for the appropriate tax year for each month's service falling in that tax year.

### **C.2A Payment of member contributions**

- (1) Member contributions are to be deducted by the member's employer from the member's pensionable earnings for each pay period.
- (2) A member's employer—
  - (a) may make contributions on the member's behalf in circumstances determined by the Minister; and
  - (b) must do so for any period of assumed pay under rule A.3(2)(e) (unpaid leave which Minister has agreed can count as reckonable service).

- (3) A member is not required to pay member contributions while the member is on unpaid ordinary maternity leave, unpaid ordinary adoption leave or unpaid paternity leave.
- (4) A member is not required to pay member contributions on pensionable earnings for any period of service that is not reckonable service.”.

## **New Part N**

After Part M insert—

### **“Part N**

#### **2015 Scheme members: transition members**

##### **Preliminary**

##### **N.1 Application of Part N**

- (1) This Part makes provision regarding the application of the rules of this Section for transition members.
- (2) This Section has effect in relation to a transition member with continuity of service as if the member was an active member of this Section, subject to the provisions of this Part.

##### **N.2 Interpretation of Part N**

In this Part, “continuity of service” has the meaning given in paragraph 2 of Schedule 2 to the 2014 Regulations.

##### **N.3 Application of rule A.4**

- (1) In determining the final pensionable earnings of a transition member with continuity of service, rule A.4 (meaning of “final pensionable earnings”) will apply with such modifications as are needed to give effect to the provisions of Schedule 7 to the 2013 Act (final salary link) and paragraph 40 of Schedule 2 to the 2014 Regulations (final salary link not to apply again to a pension in payment).
- (2) In determining the final salary (within the meaning of the 2013 Act) of a transition member with continuity of service in accordance with Schedule 7 to the 2013 Act, the member’s pensionable earnings under the rules of the 2015 Scheme derived from service in that scheme are to be regarded as derived from service in this Scheme.

##### **N.4 Application of rule A.8**

- (1) Rule A.8 (qualifying service) applies to a transition member with continuity of service subject to the provisions of this rule.

- (2) In relation to a transition member with continuity of service, references in these rules to qualifying service include qualifying service in relation to this Section and any continuous period of pensionable service under the 2015 Scheme taken together, subject to paragraph (3).
- (3)
  - (a) Qualifying service (“the past period of qualifying service”) that a re-employed active member (“M”) was entitled to count immediately before becoming an active member of this Section in the current employment does not include pensionable service under the 2015 Scheme unless sub-paragraph (b) applies.
  - (b) This paragraph applies if the past period of qualifying service is aggregated with the qualifying service that M is entitled to count as a result of M’s membership of this Section in the current employment, following an option exercised in accordance with rule G.3.

#### **N.5 Application of rule A.9**

- (1) Rule A.9 (reckonable service) applies to a transition member subject to the provisions of this rule.
- (2) A transition member cannot count any period on or after the member’s transition date as reckonable service for the purposes of this Section.

#### **N.6 Application of rule C.1**

Rule C.1 (members’ contributions) does not apply to a transition member.

#### **N.7 Application of rule C1.1**

- (1) A transition member cannot exercise a new option under rule C1.1 (option to pay additional periodical contributions to purchase pension) to make additional periodical contributions to this Section.
- (2) An option already made by a transition member to make additional contributions to this Section under rule C1.1 continues to have effect during any such period as the circumstances in sub-paragraph (3) are met.
- (3) The circumstances are—
  - (a) the member opted to make the additional periodical contributions to this section under rule C1.1 before the member’s transition date; and
  - (b) the member is an active member of the 2015 Scheme with continuity of service.
- (4) Part C1 applies to any such continuing option to make additional contributions as if the member was an active member of this Section save that—

- (a) the additional contributions are payable by deduction from the member's pensionable earnings in relation to the member's 2015 Scheme service; and
  - (b) the contribution option period ends when the member ceases to be an active member of the 2015 Scheme or such shorter period as may be specified in the option.
- (5) Where a transition member with continuity of service cancels an option to make additional periodical contributions, the option cannot be exercised again.

### **N.8 Application of rules on added years (rules C.4 to C.11)**

- (1) An option made by a transition member to make additional contributions to this Section under rule C.4 (member's option to pay additional contributions to increase service) continues to have effect during any such period as the member is an active member of the 2015 Scheme with continuity of service.
- (2) Rules C.4 to C.11 (buying added years) apply to any such continuing option to make additional contributions as if the member was an active member of this Section save that—
- (a) the additional contributions are payable by deduction from the member's pensionable earnings in relation to the member's 2015 Scheme service; and
  - (b) the contractual option period ends when the member ceases to be an active member of the 2015 Scheme or such shorter period as may be specified in the option.
- (3) when a transition member with continuity of service cancels an option to make additional contributions the option cannot be exercised again.

### **N.9 Application of rules to a transition member receiving ill health pension under the 2015 Scheme**

- (1) This rule applies in relation to a transition member ("T") with continuity of service who is receiving payment of an ill-health pension in accordance with paragraph 29 of Schedule 2 to the 2014 Regulations ("the ill-health pension").
- (2) T is not entitled under rule D.4 (early payment of pensions: ill-health) to payment of a lower tier pension, an upper tier top up pension, pension calculated without actuarial reduction or additional pension under D.4(10D), or to be treated as being so entitled under rule D.6 (provisional ill-health awards).
- (3) The following rules do not apply to T—
- (a) D.3 (early payment of pensions with actuarial reduction);

- (b) D.8 (general option to exchange part of pension for lump sum);
  - (c) L.10(2) (payment of lump sum on normal retirement of reserved joiner);
  - (d) L.10A(3) (payment of lump sum on partial retirement of reserved joiner);
  - (e) L.11 (early retirement with actuarial reduction, lump sum); and
  - (f) L.13A (additional service lump sum for reserved joiner).
- (4)
- (a) Subject to the provisions of this rule, this Section applies to T as if T became a deferred member of this Section on the day that T became entitled to payment of the ill-health pension.
  - (b) In calculating the pension that T is entitled to under D.1 on reaching pension age, the following are subtracted—
    - (i) the amount of pension exchanged for a lump sum as a result of the exercise of an option to commute pension under the 2014 Regulations (if any), to the extent that it relates to pension payable under this Section; and
    - (ii) an amount equal to any transfer payment made to another scheme before the member reached normal pension age under the PCSPS.
- (5) Before the amounts in paragraph (4)(a) and (b) are subtracted they must be increased by the amount by which the annual rate of a pension of that amount would have been increased under the Pensions (Increase) Act 1971 if—
- (a) that pension was eligible to be so increased; and
  - (b) the beginning date for that pension was the date that the ill-health pension became payable.

**N.10 Application of Part E in relation to active members of the 2015 Scheme**

- (1) This rule applies in relation to a transition member with continuity of service—
- (a) who dies as an active member of the 2015 Scheme; and
  - (b) whose continuous period of pensionable service under the 2015 Scheme and under the PCSPS before the member’s transition date is at least 12 months.

- (2) Benefits under Part E (death benefits) are not payable in respect of the transition member.
- (3) Where the transition member makes a declaration under regulation 101(1) of the 2014 Regulations, that declaration—
  - (a) has effect as a declaration under rule E.2(3)(a); and
  - (b) replaces any previous declaration under or which has effect as a declaration under rule E.2(3)(a) of this Section.
- (4) Where the transition member revokes a declaration under regulation 101(2) of the 2014 Regulations, that cancellation has effect as a cancellation of any declaration under or which has effect as a declaration under rule E.2(3)(a) of this Section.
- (5) A nomination by the transition member for lump sum death benefit under regulation 122 of the 2014 Regulations—
  - (a) has effect as a nomination under rule E.20 of this Section; and
  - (b) replaces any previous nomination under or which has effect as a nomination under rule E.20 of this Section.
- (6) An alteration or a revocation of a nomination by the transition member under regulation 122(5) of the 2014 Regulations has effect as an alteration or revocation of a nomination under or which has effect as a nomination under rule E.20 of this Section.

#### **N.11 Application of Part F**

- (1) In relation to a transition member with continuity of service (T), Part F (transfers) has effect subject to the provisions of this rule and the modifications to the Pension Schemes Act 1993 in the Public Service (Civil Servants and Others) Pensions (Transitional, Consequential and Amendment) Regulations 2014.
- (2) T may only require a payment of a transfer value where T is entitled to require such payment in accordance with the provisions of the Pension Schemes Act 1993 as modified.
- (3) T may only apply for a transfer value into the 2002 Section if—
  - (a) it is a transfer of final salary benefits under the public sector transfer arrangements; or
  - (b) the member applied for the transfer before becoming a transition member and the transfer value is received by the scheme within the period of two months after the date that the application is received.

(4) In this rule-

“final salary” in relation to a person to or in respect of whom a pension under a pension scheme is payable, means the person's pensionable earnings, or highest, average or representative pensionable earnings, in a specified period ending at, or defined by reference to, the time when the person's pensionable service in relation to that scheme terminates; and

“final salary benefits” means benefits payable to or in respect of a person which are or may be determined to any extent by reference to the person's final salary.”.

## **1972 Section**

After rule 1.2f insert—

“1.2g

“The 2013 Act” means the Public Service Pensions Act 2013.

1.2h

“The 2014 Regulations” means the Public Service (Civil Servants and Others) Pensions Regulations 2014.

1.2i

“The 2015 Scheme” means the scheme established by the 2014 Regulations.”.

After rule 1.13q insert—

“1.13r

“Full protection member” has the meaning given in paragraph 9 of Schedule 2 to the 2014 Regulations.

1.13s

“Ill-health protection member” means a member of this scheme who would be entitled to be an active member of the 2015 Scheme but for the fact that—

- (a) an application for early payment of pension on the basis of ill-health under this scheme has been made in respect of the member before the member’s transition date; and
- (b) a decision has not yet been made in relation to that application; or
- (c) the scheme medical adviser’s opinion is that the member does not satisfy the criteria for payment of the ill-health pension and all relevant appeal rights in relation to that opinion are not yet exhausted.

1.13t

“Tapered protection member” has the meaning given in paragraph 19 of Schedule 2 to the 2014 Regulations.

1.13u

“Transition date” in relation to a transition member has the meaning given in paragraph 1 of Schedule 2 to the 2014 Regulations.

1.13v

“Transition member” means a person—

- (a) who is a member of this scheme by virtue of the person’s pensionable service under this scheme before the person’s transition date or by virtue of deemed transfer scheme service under paragraph 2 of Schedule 7 to the 2013 Act (final salary link); and

- (b) who is a member of the 2015 Scheme by virtue of the person's pensionable service under that Scheme.

1.13w

“Pay period” in relation to a person means a period by reference to which the person's earnings in the employment by virtue of which the person is eligible for membership of this scheme are payable.”.

### **Coverage of the scheme**

After “rule 1.4” in rules 1.3b(ii), 1.3e(ii) and 2.4(ii), and after “rule 1.3d” in rule 1.3(c)(vi), insert “and rule 1.4xa”.

### **New rule 1.4xa**

After rule 1.4 insert—

### **“Employment on and after 1st April 2015**

1.4xa

- (i) After 31st March 2015 no person is or is eligible to be in pensionable service under this scheme unless the person is a protected member.
- (ii) A person who ceases to be a protected member ceases to be or to be eligible to be in pensionable service under this scheme (but see Section 16 for the application of the rules to transition members with continuity of service).
- (iii) Where a person is not and is not eligible to be in pensionable service under this scheme, that person—
  - (a) is not receiving earnings that are pensionable earnings for the purposes of this scheme; and
  - (b) is not and is not eligible to be a person to whom this scheme applies, subject to Section 16.
- (iv) In this rule, “protected member” means a full protection member, a tapered protection member or an ill-health protection member in relation to this scheme.”.

### **Rules 2A.1 and 2A.2 and new rules 2A.2A and 2A.2B**

For Rules 2A.1 and 2A.2 substitute—

“2A.1 Meaning of “pensionable pay”

- (i) For the purposes of this Section 2A, a civil servant's pensionable pay for any period is the sum of—

- (a) the civil servant's permanent pensionable pay in respect of that period; and
  - (b) the civil servant's fluctuating pensionable pay in respect of that period.
- (ii) The money value of any benefit in kind forms part of a civil servant's pensionable pay if—
  - (a) the benefit is expressly provided on a pensionable basis; or
  - (b) the Minister determines the benefit forms part of the civil servant's permanent pensionable pay or fluctuating pensionable pay.
- (iii) If a benefit in kind is expressly provided on a pensionable basis, the Minister must determine whether the benefit forms part of the civil servant's permanent pensionable pay or fluctuating pensionable pay.

- (iv) In this rule—

“benefit in kind” means anything other than money provided to a civil servant in connection with the civil servant's pensionable service;

“money value”, in relation to a benefit in kind, means—

- (a) an amount determined by the employer in accordance with the arrangement under which the benefit is provided; or
- (b) otherwise, an amount determined by the Minister;

“permanent pensionable pay”, in respect of any period, means—

- (a) basic pay in respect of that period;
- (b) any allowance granted on a permanent basis that the Minister determines to be permanent pensionable pay in respect of that period; and
- (c) the money value of any benefit in kind that the Minister determines to be permanent pensionable pay in respect of that period;

“fluctuating pensionable pay”, in respect of any period, means any of the following that the Minister determines to be fluctuating pensionable pay in respect of that period—

- (a) any non-consolidated performance-related pay not forming part of basic pay;
- (b) any allowance not granted on a permanent basis; and

- (c) the money value of any benefit in kind.

## 2A.2 Rate of further contributions

- (i) A civil servant must pay contributions to this scheme (“further contributions”) on the civil servant’s pensionable pay for each pay period at a rate determined under this rule (“further contributions rate”).
- (ii) The further contributions rate which applies to a civil servant’s pensionable pay is the rate which applies when the civil servant’s pensionable pay is paid.
- (iii) For the purposes of paragraph (ii),
  - (a) assumed pay for any pay period is treated as having been paid when pensionable pay for that period would have been paid had the circumstances in rule 1.9B(ii) which apply to the civil servant not applied; and
  - (b) payment of the money value of any benefit in kind which forms part of a civil servant’s pensionable pay is treated as having been made at a time or apportioned across a period of time as determined by the Minister.
- (iv) The further contributions rate during a scheme year to which a table set out in this rule applies is the percentage, set out in the table, which applies to a civil servant’s annualised rate of pensionable pay calculated in relation to each payment of a civil servant’s pensionable pay.
- (v) Where the civil servant’s pensionable pay for a scheme year is payable to the civil servant in 12 instalments, the civil servant’s annualised rate of pensionable pay is calculated as follows, rounded down to the nearest whole pound—

$$12P$$

where  $P$  is the amount of a payment of the civil servant’s pensionable pay.

- (vi) Where the civil servant’s pensionable pay for a scheme year are payable otherwise than in 12 instalments, the civil servant’s annualised rate of pensionable pay is calculated as follows, rounded down to the nearest whole pound—

$$P \times \frac{365}{N}$$

where—

$P$  is the amount of a payment of the civil servant’s pensionable pay; and

$N$  is the number of days in the applicable payment period.

- (vii) For the purposes of paragraph (vi) the applicable payment period is—
- (a) if it is the civil servant’s first payment of pensionable pay in relation to a continuous period of pensionable service in an employment in respect of which the person is civil servant to whom this scheme applies, the number of days in the period beginning on the day the civil servant commenced the period of pensionable service in that employment and ending on the day before the day that this payment was made; or
  - (b) in any other case, the period beginning on the day the previous payment of the civil servant’s pensionable pay was made and ending on the day before the day that this payment was made.
- (viii) If the scheme year in which the payment of pensionable pay is made includes 29th February, paragraph (vi) has effect with the substitution for “365” of “366”.
- (ix) Nothing in this section 2A affects any of the provisions regarding contributions in Section 4 (widows’ and dependants’ benefits) of this Section of the Scheme.

**Scheme Year 1st April 2015 to 31st March 2016**

<i>Annualised rate of pensionable pay</i>	<i>Further contributions rate</i>
Up to but not including £15,001	1.5%
£15,001 to but not including £21,001	3.1%
£21,001 to but not including £47,001	3.95%
£47,001 to but not including £150,001	5.85%
£150,001 and above	6.55%

**Scheme year 1st April 2016 to 31st March 2017**

<i>Annualised rate of pensionable pay</i>	<i>Further contributions rate</i>
Up to but not including £15,001	2.3%
£15,001 to but not including £21,211	3.1%
£21,211 to but not	3.95%

including £48,472	
£48,472 to but not including £150,001	5.85%
£150,001 and above	6.55%

#### **Scheme Year 1st April 2017 to 31st March 2018**

<i>Annualised rate of pensionable pay</i>	<i>Further contributions rate</i>
Up to but not including £15,001	3.1%
£15,001 to but not including £21,423	3.1%
£21,423 to but not including £51,006	3.95%
£51,006 to but not including £150,001	5.85%
£150,001 and above	6.55%

#### **Scheme Year 1st April 2018 to 31st March 2019**

<i>Annualised rate of pensionable pay</i>	<i>Further contributions rate</i>
Up to but not including £15,001	3.1%
£15,001 to but not including £21,637	3.1%
£21,637 to but not including £51,516	3.95%
£51,516 to but not including £150,001	5.85%
£150,001 and above	6.55%

#### **2A.2A Amount of pensionable pay**

- (i) For the purpose of rule 2A.2, the amount of a civil servant's pensionable pay for any pay period is determined in accordance with this rule.
- (ii) Unless paragraph (iii) or (iv) applies, the amount of the civil servant's pensionable pay during any period of assumed pay is equal to the civil servant's assumed pay.
- (iii) For any period of assumed pay under rule 1.9B(ii)(b) (civil servant on sick leave on reduced pay), the amount of the civil servant's pensionable pay equal to the civil servant's reduced pay while on sick leave.

- (iv) For any period of assumed pay while the member is on ordinary maternity leave, ordinary adoption leave or paternity leave, the amount of the civil servant's pensionable pay is the amount of contractual remuneration or statutory pay actually paid to or for the civil servant in respect of the period of leave.
- (v) For the purposes of rule 2A.2(i), the pensionable earnings of a civil servant to whom rule 1.6(b)(i) applies may not exceed one twelfth of the permitted maximum for the appropriate tax year for each month's service falling into that tax year.

#### 2A.2B Payment of further contributions

- (i) Further contributions are to be deducted by the civil servant's employer from the civil servant's pensionable pay for each pay period.
- (ii) A civil servant's employer—
  - (a) may make contributions on the civil servant's behalf in circumstances determined by the Minister; and
  - (b) must do so for any period of assumed pay under rule 1.9B(ii)(g) (unpaid leave which counts as reckonable service).
- (iii) A civil servant is not required to pay further contributions while the civil servant is on unpaid ordinary maternity leave, unpaid ordinary adoption leave or unpaid paternity leave.
- (iv) A civil servant is not required to pay further contributions on pensionable pay for any period of service that is not reckonable service.
- (v) Contributions paid on service which reckons at double its length under rule 2.27 shall be paid as if rule 2.27 did not apply."

#### **New Section 16**

**After Section 15 insert—**

#### **“Section 16**

#### **2015 Scheme members: transition members**

#### **Preliminary**

#### **16.1 Application of Section 16**

- (i) This Section makes provision regarding the application of the rules of this scheme for transition members.

- (ii) This scheme has effect in relation to a transition member with continuity of service as if the member was a civil servant to whom this scheme applies, subject to the provisions of this Section.

## **16.2 Interpretation of Section 16**

In this Section, “continuity of service” has the meaning given in paragraph 2 of Schedule 2 to the 2014 Regulations.

## **16.3 Application of rule 1.4e**

A transition member with continuity of service cannot exercise an option under rule 1.4e (inactive members) to be treated as an inactive member of the scheme.

## **16.4 Application of rule 1.5**

- (i) Rule 1.5 (definition of “reckonable service”) applies to a transition member with continuity of service subject to the provisions of this rule.
- (ii) In relation to a transition member with continuity of service, references in these rules to qualifying service include qualifying service for the purposes of this scheme and any continuous period of pensionable service under the 2015 Scheme taken together, subject to paragraph (iii).
- (iii)
  - (a) Qualifying service (“the past period of qualifying service”) that a re-employed civil servant (“M”) was entitled to count immediately before becoming an active member of this section in the current employment does not include pensionable service under the 2015 Scheme unless sub-paragraph (b) applies.
  - (b) This paragraph applies if the past period of qualifying service is aggregated with the qualifying service that M is entitled to count as a result of M’s membership of this section in the current employment, in accordance with rules 3.35 – 3.35f .

## **16.5 Application of rules 1.6a – 1.8**

- (i) In determining the pensionable earnings of a transition member, rules 1.6a – 1.8 (meaning of “pensionable earnings”) will apply with such modifications as are needed to give effect to the provisions of Schedule 7 to the 2013 Act (final salary link) and paragraph 40 of Schedule 2 to the 2014 Regulations (final salary link not to apply again to a pension in payment).
- (ii) In determining the final salary (within the meaning of the 2013 Act) of a transition member in accordance with Schedule 7 to the 2013 Act, the member’s pensionable earnings under the rules of the 2015 Scheme derived from service in that scheme are to be regarded as derived from service in this scheme.

## **16.6 Application of Section 2**

- (i) Section 2 (reckonable service) applies to a transition member (T) subject to the provisions of this rule.
- (ii) No period on or after T's transition date shall count as reckonable service.

## **16.7 Application of Rule 2A.2**

Rule 2A.2 (rate of further contributions) does not apply to a transition member.

## **16.8 Application of rules relating to previous periods of pension**

- (i) A transition member (T) who returns to scheme employment after a gap in service may, if T has not previously exercised the option in rule 3.35, exercise that option whilst T is an active member of the 2015 Scheme (but before T's pension age in relation to this scheme).
- (ii) Rule 3.35f applies to a transition member with continuity of service with the following modifications-
  - (a) in rule 3.35f(a)(i) for "at the end of his re-employment" there is substituted "at the end of the person's period of pensionable service in the 2015 Scheme";
  - (b) where a re-employed civil servant who is a transition member with continuity of service who is entitled to exercise an option under 3.35(f)(a)(ii) dies before exercising that option, the civil servant is assumed to have exercised the option in the way which would provide the greatest level of benefits in respect of the member under the 2015 Scheme.

## **16.9 Application of Rules 4.9 and 4.22**

Rules 4.9 and 4.22 (contributions) do not apply to a transition member.

## **16.10 Application of Section 6**

- (i) In relation to a transition member with continuity of service (T), Section 6 (transfers) has effect subject to the provisions of this rule and the modifications to the Pension Schemes Act 1993 in the Public Service (Civil Servants and Others) Pensions (Transitional, Consequential and Amendment) Regulations 2014.
- (ii) T may only require a payment of a transfer value where T is entitled to require such payment in accordance with the provisions of the Pension Schemes Act 1993 as modified.
- (iii) T may only apply for a transfer value into this scheme if—

- (a) it is a transfer of final salary benefits under the public sector transfer arrangements; or
- (b) T applied for the transfer before becoming a transition member and the transfer value is received by the scheme within the period of two months after the date that the application is received.

(iv) In this rule-

“final salary” in relation to a person to or in respect of whom a pension under a pension scheme is payable, means the person's pensionable earnings, or highest, average or representative pensionable earnings, in a specified period ending at, or defined by reference to, the time when the person's pensionable service in relation to that scheme terminates; and

“final salary benefits” means benefits payable to or in respect of a person which are or may be determined to any extent by reference to the person’s final salary.

#### **16.11 Application of Section 7**

- (i) An option made by a transition member to buy added years under rule 7.1 (option to purchase added years) continues to have effect during any such period as the transition member is an active member of the 2015 Scheme with continuity of service.
- (ii) Section 7 (purchase of added years) of this scheme applies to any such continuing option to make additional contributions as if the transition member was an active member of this scheme save that—
  - (a) the periodical contributions for added years are payable by deduction from the transition member’s pensionable earnings in relation to the transition member’s 2015 Scheme service; and
  - (b) references in Section 7 to the civil servant leaving the Civil Service or opting out of the scheme are taken as references to the civil servant ceasing to be an active member of the 2015 Scheme.
- (iii) Where a transition member with continuity of service cancels an option to buy added years, the option cannot be exercised again.

#### **16.12 Application of Section 14**

- (i) A transition member cannot exercise a new option under Section 14 (contributed pension and lump sum) to make additional periodical contributions to this scheme.
- (ii) An option already made by a transition member to make additional contributions to this scheme under rule 14.2 (civil servant’s option to pay additional periodical contributions to purchase pension and lump sum)

continues to have effect during any such period as the circumstances in subparagraph (iii) are met.

- (iii) The circumstances are—
  - (a) the transition member opted to make the additional periodical contributions to this scheme under rule 14.2 before the member’s transition date; and
  - (b) the transition member is an active member of the 2015 Scheme with continuity of service.
- (iv) Part 2 of this scheme applies to any such continuing option to make additional contributions as if the transition member was an active member of this scheme save that—
  - (a) the additional contributions are payable by deduction from the transition member’s pensionable earnings in relation to the member’s 2015 Scheme service; and
  - (b) the contribution option period ends when the transition member ceases to be an active member of the 2015 Scheme or such shorter period as may be specified in the option.
- (v) Where a transition member with continuity of service cancels an option to make additional periodical contributions, the option cannot be exercised again.

### **16.13 Application of rules relating to ill-health pension**

- (i) This rule applies in relation to a transition member (“T”) with continuity of service who is receiving payment of an ill-health pension in accordance with paragraph 29 of Schedule 2 to the 2014 Regulations (“the ill-health pension”).
- (ii) T is not entitled under rule 3.4 (retirement on medical grounds) to payment of an ill health pension or a lump sum or to enhancement.
- (iii) T is not entitled to payment of a lump sum under rule 3.11.
- (iv) The following rules do not apply to T—
  - (a) 3.1(b) (lump sum on ordinary retirement);
  - (b) 3.3b, (partial retirement), to the extent that it provides for a lump sum to be payable; and
  - (c) 3.50 (general option to exchange part of pension for extra lump sum).
- (v) Subject to the provisions of this rule, this scheme applies to T as if T was awarded a preserved pension under rule 3.11 on the day that T became entitled to payment of the ill-health pension.

- (vi) In calculating the pension that T is entitled to under rule 3.11 on reaching pension age, the following are subtracted—
  - (a) the amount of pension exchanged for a lump sum as a result of the exercise of an option to commute pension under the 2014 Regulations (if any) to the extent that it relates to pension payable under this scheme; and
  - (b) an amount equal to any transfer payment made to another scheme before the member reached normal pension age under the PCSPS.
- (vii) Before the amounts in paragraph (5)(a) and (b) are subtracted they must be increased by the amount by which the annual rate of a pension of that amount would have been increased under the Pensions (Increase) Act 1971 if—
  - (a) that pension was eligible to be so increased; and
  - (b) the beginning date for that pension was the date that the ill-health pension became payable.

**16.14 Application of rules relating to payment of death benefits on the death in service of a civil servant**

- (i) This rule applies in relation to a transition member with continuity of service—
  - (a) who dies as an active member of the 2015 Scheme; and
  - (b) whose continuous period of pensionable service under the 2015 Scheme and under the PCSPS before the member’s transition date is at least 12 months.
- (ii) Benefits under rules 3.8 – 3.9b (death benefits) are not payable in respect of the transition member.
- (iii) A nomination for lump sum death benefit by the transition member under regulation 122 of the 2014 Regulations—
  - (a) has effect as a nomination under rule 3.8 of this scheme; and
  - (b) replaces any previous nomination under or which has effect as a nomination under rule 3.8 of this scheme.
- (iv) An alteration or a revocation of a nomination by the transition member under regulation 122(5) of the 2014 Regulations has effect as an alteration or revocation of a nomination under or which has effect as a nomination under rule 3.8 of this scheme.”.

## **2007 Section**

### **Rule A.1**

In paragraph (4) of rule A.1, in the appropriate place, insert—

““the 2013 Act” means the Public Service Pensions Act 2013;”;

““the 2014 Regulations” means the Public Service (Civil Servants and Others) Pensions Regulations 2014;”;

““the 2015 Scheme” means the scheme established by the 2014 Regulations;”;

““full protection member” has the meaning given in paragraph 9 of Schedule 2 to the 2014 Regulations;”;

““ill-health protection member” means a member of this Section who would be entitled to be an active member of the 2015 Scheme but for the fact that—

- (a) an application for early payment of pension on the basis of ill-health under this Section has been made in respect of the member before the member’s transition date; and
- (b) a decision has not yet been made in relation to that application; or
- (c) the scheme medical adviser’s opinion is that the member does not satisfy the criteria for payment of the ill-health pension and all relevant appeal rights in relation to that opinion are not yet exhausted;”;

““tapered protection member” has the meaning given in paragraph 19 of Schedule 2 to the 2014 Regulations;”;

““transition date” in relation to a transition member has the meaning given in paragraph 1 of Schedule 2 to the 2014 Regulations;”;

““transition member” means a person—

- (a) who is a member of this Section by virtue of the person’s pensionable service under this Section before the person’s transition date or by virtue of deemed transfer scheme service under paragraph 2 of Schedule 7 to the 2013 Act (final salary link); and
- (b) who is a member of the 2015 Scheme by virtue of the person’s pensionable service under that scheme.”.

### **Rule B.1**

At the end of paragraph (1) of rule B.1, insert “This is subject to rule B.1A”.

#### **New rule B.1A**

After rule B.1 insert—

**“B.1A Employment on and after 1st April 2015**

- (1) After 31st March 2015 no person is or is eligible to be in pensionable service under this Section unless the person is a protected member.
- (2) A person who ceases to be a protected member ceases to be or to be eligible to be in pensionable service under this Section (but see part L for the application of the rules to transition members with continuity of service).
- (3) Where a person is not and is not eligible to be in pensionable service under this Section, that person—
  - (a) is not receiving earnings that are pensionable earnings for the purposes of this Section; and
  - (b) is not and is not eligible to be an active member of this Section (subject to Part L).
- (4) In this rule, “protected member” means a full protection member, a tapered protection member or an ill-health protection member in relation to this Section of the Scheme.”.

**Rule C.3**

- (1) In rule C.3 at the end of paragraph (1) insert “subject to paragraph 1A”.
- (2) Insert in rule C.3 after paragraph (1)—

“(1A)

  - (a) For the purposes of rule C.2, any pensionable earnings received by a member during or after the scheme year beginning 1st April 2014 in respect of pensionable service before 1st April 2014 are taken as having been received in the scheme year beginning 1st April 2014.
  - (b) For the purposes of rule C.2, any pensionable earnings received by a member during or after the scheme year beginning 1st April 2014 in respect of pensionable service on or after 1st April 2014 are taken as having been received in the scheme year in respect of which they were paid.”.

**Rules D.1 and D.2 and new rule D.2A**

For Rules D.1 and D.2 substitute—

**“D.1 Rate of member contributions**

- (1) An active member of this Section must pay contributions to this Section (“member contributions”) on the member’s pensionable earnings for each pay period at a rate determined under this regulation (“member contributions rate”).
- (2) The member contributions rate which applies to a member’s pensionable earnings is the rate which applies when the member’s pensionable earnings are paid.
- (3) For the purposes of paragraph (2),
  - (a) assumed pay for any pay period is treated as having been paid when pensionable earnings for that period would have been paid had the circumstances in regulation 27(3) which apply to the member not applied; and
  - (b) payment of the money value of any benefit in kind which forms part of a member’s pensionable earnings is treated as having been made at a time or apportioned across a period of time as determined by the Minister.
- (4) The member contributions rate during a scheme year to which a table set out in this rule applies is the percentage, set out in the table, which applies to a member’s annualised rate of pensionable earnings calculated in relation to each payment of a member’s pensionable earnings.
- (5) Where the member’s pensionable earnings for a scheme year are payable to the member in 12 instalments, the member’s annualised rate of pensionable earnings is calculated as follows, rounded down to the nearest whole pound—

$$12P$$

where  $P$  is the amount of a payment of the member’s pensionable earnings.

- (6) Where the member’s pensionable earnings for a scheme year are payable otherwise than in 12 instalments, the member’s annualised rate of pensionable earnings is calculated as follows, rounded down to the nearest whole pound—

$$P \times \frac{365}{N}$$

where—

$P$  is the amount of a payment of the member’s pensionable earnings; and

$N$  is the number of days in the applicable payment period.

- (7) For the purposes of paragraph (6) the applicable payment period is—
  - (a) if it is the member’s first payment of pensionable earnings in relation to a continuous period of pensionable service in an employment in

respect of which the person is an active member of this Section, the number of days in the period beginning on the day the member commenced the period of pensionable service in that employment and ending on the day before the day that this payment was made; or

- (b) in any other case, the period beginning on the day the previous payment of the member's pensionable earnings was made and ending on the day before the day that this payment was made.
- (8) If the scheme year in which the payment of pensionable earnings is made includes 29th February, paragraph (6) has effect with the substitution for "365" of "366".
- (9) This rule is subject to rule H.7(5) (under which this rule is disappplied in certain cases for a period after re-employment after ill-health pension awards and awards under the Civil Service Compensation Scheme).

**Scheme Year 1st April 2015 to 31st March 2016**

<i>Annualised rate of pensionable earnings</i>	<i>Member contributions rate</i>
Up to but not including £21,001	4.6%
£21,001 to but not including £47,001	5.45%
£47,001 to but not including £150,001	7.35%
£150,001 and above	8.05%

**Scheme year 1st April 2016 to 31st March 2017**

<i>Annualised rate of pensionable earnings</i>	<i>Member contributions rate</i>
Up to but not including £21,211	4.6%
£21,211 to but not including £48,472	5.45%
£48,472 to but not including £150,001	7.35%
£150,001 and above	8.05%

**Scheme Year 1st April 2017 to 31st March 2018**

<i>Annualised rate of pensionable earnings</i>	<i>Member contributions rate</i>
Up to but not including £21,423	4.6%
£21,423 to but not	5.45%

including £51,006	
£51,006 to but not	7.35%
including £150,001	
£150,001 and above	8.05%

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**Scheme Year 1st April 2018 to 31st March 2019**

<i>Annualised rate of pensionable earnings</i>	<i>Member contributions rate</i>
Up to but not including £21,637	4.6%
£21,637 to but not including £51,516	5.45%
£51,516 to but not including £150,001	7.35%
£150,001 and above	8.05%

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**D.2 Amount of pensionable earnings**

- (1) For the purpose of rule D.1, the amount of a member's pensionable earnings for any pay period is determined in accordance with this rule.
- (2) Unless paragraph (3) or (4) applies, the amount of the member's pensionable earnings during any period of assumed pay is equal to the member's assumed pay.
- (3) For any period of assumed pay under rule A.3(2)(b) (member on sick leave on reduced pay), the amount of the member's pensionable earnings is equal to the member's reduced pay while on sick leave.
- (4) For any period of assumed pay while the member is on ordinary maternity leave, ordinary adoption leave or paternity leave, the amount of the member's pensionable earnings is the amount of contractual remuneration or statutory pay actually paid to or for the member in respect of the period of leave.

**D.2A Payment of member contributions**

- (1) Member contributions are to be deducted by the member's employer from the member's pensionable earnings for each pay period.
- (2) A member's employer—
  - (a) may make contributions on the member's behalf in circumstances determined by the Minister; and
  - (b) must do so for any period of assumed pay under rule A.3(2)(g) (unpaid leave).

- (3) A member is not required to pay member contributions while the member is on unpaid ordinary maternity leave, unpaid ordinary adoption leave or unpaid paternity leave.”.

## **Part G**

In Part G, after rule G.11, insert—

### **“G.11A Final salary club transfers in relation to members of the 2015 Scheme**

- (1) A member of the 2015 Scheme may make a Club transfer of final salary benefits into this Section, although the person is not otherwise a member of this Section.
- (2) Rules E.14 and G.11 apply to such a transfer as they apply to other Club transfers.
- (3) Where a person has made a transfer in accordance with paragraph (1), this Section applies to that person as it applies to transition members.
- (4) In this rule, “final salary benefits” has the meaning given in rule L.22.”.

## **New Part L**

**After Part K insert—**

### **“Part L**

#### **2015 Scheme members: transition members**

##### **Preliminary**

##### **L.1 Application of Part L**

- (1) This Part makes provision regarding the application of the rules of this Section for transition members.
- (2) This Section has effect in relation to a transition member with continuity of service as if the member was an active member of this Section, subject to the provisions of this Part.

##### **L.2 Interpretation of Part L**

In this Part, “continuity of service” has the meaning given in paragraph 2 of Schedule 2 to the 2014 Regulations.

##### **L.3 Application of rule A.5(1)**

Rule A.5(1) (the pension limit: meaning of “appropriate time”) applies to a transition member with continuity of service as if for “the time when the member ceases to be

an active member in the service in respect of which the pension is payable” there were substituted “the time when the member ceases to be an active member of the 2015 Scheme”.

#### **L.4 Application of rule A.8 and A.9**

- (1) In determining the final pay of a transition member with continuity of service, rules A.8 (meaning of final pay) and A.9 (meaning of final pensionable earnings) will apply with such modifications as are needed to give effect to the provisions of Schedule 7 to the 2013 Act (final salary link) and paragraph 40 of Schedule 2 to the 2014 Regulations (final salary link not to apply again to a pension in payment).
- (2) In determining the final salary (within the meaning of the 2013 Act) of a transition member with continuity of service in accordance with Schedule 7 to the 2013 Act, the member’s pensionable earnings under the rules of the 2015 Scheme derived from service in that scheme are to be regarded as derived from service in this Scheme.

#### **L.5 Application of rule A.12**

- (1) Rule A.12 (active membership period) applies to a transition member subject to the provisions of this rule.
- (2) A transition member cannot count any period on or after the member’s transition date as part of the member’s active membership period or assumed active membership period.

#### **L.6 Application of rule A.13**

- (1) Rule A.13 (qualifying service) applies to a transition member with continuity of service subject to the provisions of this rule.
- (2) In relation to a transition member with continuity of service, references in these rules to qualifying service include qualifying service for the purposes of this Section and any continuous period of pensionable service under the 2015 Scheme taken together, subject to paragraphs (3) and (4).
- (3) Qualifying service (“the past period of qualifying service”) of a re-employed 2007 Section member who has exercised the option under rule H.3, which service is not linked with current service in this Section, does not include pensionable service under the 2015 Scheme.
- (4) Service which is not linked to current service in accordance with rule H.3A (earlier service not linked where the member is entitled to early payment of Unreduced Earned Pension) does not include pensionable service under the 2015 Scheme.

#### **L.7 Application of Rule D.1**

Rule D.1 (members' contributions) does not apply to a transition member.

### **L.8 Application of rule D.4**

- (1) A transition member cannot exercise a new option under rule D.4 (buying contributed (self only) or contributed (all beneficiaries) pension) to make additional periodical contributions to this scheme.
- (2) An option already made by a transition member to make additional periodical contributions to this Section under rule D.4 continues to have effect during any such period as the circumstances in sub-paragraph (3) are met.
- (3) The circumstances are—
  - (a) the member opted to make the additional periodical contributions to this section under rule D.4 before the member's transition date; and
  - (b) the member is an active member of the 2015 Scheme with continuity of service.
- (4) Part D.4 applies to any such continuing option to make additional contributions as if the member was an active member of this Section save that—
  - (a) the additional contributions are payable by deduction from the member's pensionable earnings in relation to the member's 2015 Scheme service; and
  - (b) the contribution option period ends when the member ceases to be an active member of the 2015 Scheme.
- (5) Where a transition member with continuity of service cancels an option to make additional periodical contributions, the option cannot be exercised again.

### **L.9 Application of rules to a transition member receiving ill health pension under the 2015 Scheme**

- (1) This rule applies in relation to a transition member ("T") with continuity of service who is receiving payment of an ill-health pension in accordance with paragraph 29 of Schedule 2 to the 2014 Regulations ("the ill-health pension").
- (2) T is not entitled under Part E (retirement benefits) to payment of a lower tier earned pension, an upper tier top up earned pension.
- (3) The following rules do not apply to T—
  - (a) E.15A (option to buy out early payment reduction);
  - (b) E.16 (general option to exchange part of pension for lump sum);

- (c) E.17 (option for members in serious ill-health to exchange whole pension for lump sum).
- (4) Subject to the provisions of this rule, this Section applies to T as if T became a deferred member of this Section on the day that T became entitled to payment of the ill-health pension.
- (5) In calculating the pension that T is entitled to under E.1 on reaching pension age, the following are subtracted—
  - (a) the amount of pension exchanged for a lump sum as a result of the exercise of an option to commute pension under the 2014 Regulations (if any) to the extent that it relates to pension payable under this Section; and
  - (b) an amount equal to any transfer payment made to another scheme before the member reached normal pension age under the PCSPS.
- (6) Before the amounts in paragraph (5)(a) and (b) are subtracted they must be increased by the amount by which the annual rate of a pension of that amount would have been increased under the Pensions (Increase) Act 1971 if—
  - (a) that pension was eligible to be so increased; and
  - (b) the beginning date for that pension was the date that the ill-health pension became payable.

#### **L.10 Application of Part F in relation to active members of the 2015 Scheme**

- (1) This rule applies in relation to a transition member with continuity of service who—
  - (a) dies as an active member of the 2015 Scheme; and
  - (b) whose continuous period of pensionable service under the 2015 Scheme and under the PCSPS before the member's transition date is at least 12 months.
- (2) Benefits under Part F (death benefits) are not payable in respect of the transition member.
- (3) Where the transition member makes a declaration under regulation 101(1) of the 2014 Regulations, that declaration—
  - (a) has effect as a declaration under rule F.2(6)(a); and
  - (b) replaces any previous declaration under or which has effect as a declaration under rule F.2(6)(a) of this Section.

- (4) Where the transition member revokes a declaration under regulation 101(2) of the 2014 Regulations, that revocation has effect as a revocation of any declaration under or which has effect as a declaration under rule F.2(6)(a) of this Section.
- (5) A nomination by the transition member for lump sum death benefit under regulation 122 of the 2014 Regulations—
  - (a) has effect as a nomination under rule F.17 of this Section; and
  - (b) replaces any previous nomination under or which has effect as a nomination under rule F.17 of this Section.
- (6) An alteration or a revocation of a nomination by the transition member under regulation 122(5) of the 2014 Regulations has effect as an alteration or revocation of a nomination under or which has effect as a nomination under rule F.17 of this Section.

### **L.11 Application of Part G**

- (1) In relation to a transition member with continuity of service (T), Part G (transfers) has effect subject to the provisions of this rule and the modifications to the Pension Schemes Act 1993 in the Public Service (Civil Servants and Others) Pensions (Transitional, Consequential and Amendment) Regulations 2014.
- (2) T may only require a payment of a transfer value where T is entitled to require such payment in accordance with the provisions of the Pension Schemes Act 1993 as modified.
- (3) T may only apply for a transfer value into the this Section if—
  - (a) it is a transfer of final salary benefits under the public sector transfer arrangements; or
  - (b) the member applied for the transfer before becoming a transition member and the transfer value is received by the scheme within the period of two months after the date that the application is received.
- (4) In this rule-

“final salary” in relation to a person to or in respect of whom a pension under a pension scheme is payable, means the person's pensionable earnings, or highest, average or representative pensionable earnings, in a specified period ending at, or defined by reference to, the time when the person's pensionable service in relation to that scheme terminates; and

“final salary benefits” means benefits payable to or in respect of a person which are or may be determined to any extent by reference to the person's final salary.”.

## **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 1st April 2015, to make provision consequential on the coming into force on that date of the new scheme (alpha) established by regulation 3 of the Public Service (Civil Servants and Others) Pensions Regulations 2014, made under the Public Service Pensions Act 2014 (c.25).

In particular, the Schedule provides that no person is eligible to be in pensionable service under the PCSPS unless they are a protected member of that scheme. The Schedule also applies the provisions of the PCSPS with modifications in relation to persons who are members of the PCSPS and also members of alpha.

The Schedule to this Scheme also amends the employee contributions payable under the PCSPS. From 1st April 2015 persons in pensionable service under the PCSPS will pay member contributions at the rate at which contributions would be payable under alpha.