



## 2013 CHAPTER 1

### **Consents required for civil service compensation scheme modifications**

1.—(1) Article 4 of the 1972 Order shall be amended as follows.

(2) In paragraph (3), at the beginning there shall be inserted the words “Subject to paragraph (3A),”.

(3) After paragraph (3) there shall be inserted the following paragraphs—

“(3A) Paragraph (3) does not apply to a provision which would have the effect of reducing the amount of a compensation benefit except in so far as the compensation benefit is one provided in respect of a loss of office or employment which is the consequence of—

- (a) a notice of dismissal given before the coming into operation of the scheme which would have that effect, or
- (b) an agreement made before the coming into operation of that scheme.

(3B) In this Article—

“compensation benefit” means so much of any pension, allowance or gratuity as is provided under the civil service compensation scheme by way of compensation to or in respect of a person by reason only of the person’s having suffered a loss of office or employment;

“the civil service compensation scheme” means so much of any scheme under Article 3 (whenever made) as provides by virtue of paragraph (2) for benefits to be provided by way of compensation to or in respect of persons who suffer loss of office or employment.

(3C) In paragraph (3B) a reference to suffering loss of office or employment includes a reference to suffering loss or diminution of emoluments as a consequence of suffering loss of office or employment.”.

(4) The amendments made by this section apply in relation to reductions to which effect is given by a scheme made under Article 3 of the 1972 Order after the commencement of this section.

(5) Subsection (6) applies if—

(a) a scheme under Article 3 of the 1972 Order is made after the commencement of this section, and

(b) consultation on the proposed scheme took place to any extent before the commencement of this section.

(6) The fact that the amendments made by this section were not in force when the consultation took place does not affect the question whether the consultation satisfied the requirements of Article 3 of the 1972 Order.