

PENSIONS

Government response to the consultation on

**THE OCCUPATIONAL PENSION SCHEMES (SCOTTISH
PARLIAMENTARY PENSIONS ACT 2009) REGULATIONS
And
THE OCCUPATIONAL PENSION SCHEMES (PUBLIC SERVICE
PENSION SCHEMES) REGULATIONS 2009**

July 2009

DWP Department for
Work and Pensions

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The Occupational Pension Schemes (Scottish Parliamentary Pensions Act 2009) Regulations and The Occupational Pension Schemes (Public Service Pension Schemes) Regulations)

- 1 The consultation on these regulations began on 6th May and ended on 1st July 2009.
- 2 Four responses to the consultation were received. A list of the respondents is in the next section. The Department is very grateful to those who responded to the consultation.
- 3 The Occupational Pension Schemes (Scottish Parliamentary Pensions Act 2009) Regulations and The Occupational Pension Schemes (Public Service Pension Schemes) Regulations will come into force on 1 September 2009 subject to Parliamentary approval.
- 4 The regulations will be available on OPSI's website at
<http://www.opsi.gov.uk/si/si-2009-index>
- 5 This document is available on the Department's website at
<http://www.dwp.gov.uk/consultations/2009/>
- 6 A paper copy of this document can be obtained from:

Andy Sly
3rd Floor, Department for Work and Pensions
The Adelphi
1-11 John Adam Street
London WC2N 6HT
Email: andy.sly@dwp.gsi.gov.uk
- 7 This document describes the comments made by respondents and provides the Government's response. The response should not however be taken as an authoritative interpretation of the law. Such an interpretation can only be provided by a court.

Responses to consultation

This section summarises the response to the consultation and sets out the Government's response.

The following organisations responded to the consultation:

Association of Pension Lawyers
HMRC
Pensions Ombudsman
The Pensions Regulator

Respondents had no substantive comments on the draft regulations although the Association of Pension Lawyers did provide an opinion that the draft regulations would carry out their intended purpose and that they will align the proposed Scottish parliamentary arrangements with those already effective at Westminster. Therefore, the regulations will be laid before Parliament without delay and with no substantive change from the drafts published with the consultation. Subject to Parliamentary approval, they will come into force on 1 September 2009.

As these regulations are of a technical nature and necessary as a consequence of the Scottish Parliamentary Pensions Act 2009 to ensure that the Scottish Parliamentary Pension Scheme will operate much as it does under the current transitional legislation, the limited response is not unexpected.