



# Ministry of Defence

Ministry of Defence  
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27 March 2015

Dear ,

Thank you for your email to the Ministry of Defence (MOD) dated 22 March in which you requested the following information:

Members of the Reserve Forces are going to be entitled to receive a pension for service after 1 April 2015.

1. What changes have been to existing legislation to enable this?
2. If no changes were made what new legislation has been passed?

I am treating your correspondence as a request for information under the Freedom of Information Act (FOI) 2000.

A search for the information has now been completed within the MOD, and I can confirm that information in scope of your request is held.

The Public Service Pensions Schemes Act 2013 establishes a statutory framework to enable provision to be made to introduce new career average public sector pension schemes from 1 April 2015. It also provides the authority to close down existing public service pension schemes to new members ahead of the introduction of the new scheme and transfer existing members to the new schemes on 1 April 2015 unless they qualify for transitional protection. The Government has offered transitional protection to all members of public service schemes who were within 10 years of their respective scheme's normal pension age on 1 April 2012.

Two new statutory instruments which set out the scheme rules for the new Armed Forces Pension Scheme and the new Armed Forces Early Departure Payments Scheme were laid before Parliament in September 2014 to take effect from 1 April 2015. These are entitled The Armed Forces Pension Regulations 2014 and The Armed Forces Early Departure Payments Scheme Regulations 2014. On 1 April 2015 all serving members of existing

Armed Forces pension schemes will automatically transfer into the new scheme unless covered by transitional protection. The Armed forces Pension Scheme 2015 (AFPS 15) statutory instruments can be found at the following link:

<https://www.gov.uk/government/publications/afps-2015-what-you-need-to-know/armed-forces-pension-scheme-2015-guidance#afps-regulations>.

In addition all serving members of the Part-time Volunteer Reserve will be automatically enrolled in the new scheme and for the first time will be entitled to be pensioned for attendance based paid service as well as for mobilised service.

A further statutory instrument entitled the Armed Forces (Transitional Provisions) Pensions Regulations 2015 was laid before Parliament in March 2015 to also take effect from 1 April 2015. This instrument makes transitional provision for members of existing Armed Forces final salary pension and employee retirement benefit schemes, principally to protect their accrued rights in the existing schemes up to the point of transfer. The statutory instrument can be found at the following link:

<http://www.legislation.gov.uk/ukSI/2015/568/contents/made>.

I hope that this information will be helpful to you.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1st Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely,

  
Defence People Secretariat