
Report Stage: Tuesday 22 February 2022

Public Service Pensions and Judicial Offices Bill [Lords], As Amended (Report Stage Decisions)

This document sets out the fate of each clause, schedule, amendment and new clause considered at report stage. A glossary with key terms can be found at the end of this document.

Mr Simon Clarke

Added NC7

To move the following Clause—

“Parliamentary procedure for judicial schemes: transitory provision

- (1) This section applies to scheme regulations for a scheme relating to the judiciary that are made at any time within the period of one month beginning with the day on which this Act is passed.
- (2) A statutory instrument containing scheme regulations to which this section applies must be laid before Parliament after being made.
- (3) Regulations contained in a statutory instrument laid before Parliament under subsection (2) cease to have effect at the end of the period of 28 days beginning with the day on which the instrument is made unless, during that period, the instrument is approved by a resolution of each House of Parliament.
- (4) In calculating the period of 28 days, no account is to be taken of any whole days that fall within a period during which—
 - (a) Parliament is dissolved or prorogued, or
 - (b) either House of Parliament is adjourned for more than four days.
- (5) If regulations cease to have effect as a result of subsection (3), that does not—
 - (a) affect the validity of anything previously done under the regulations, or
 - (b) prevent the making of new regulations.
- (6) If regulations otherwise subject to the negative procedure are combined with scheme regulations to which this section applies, the combined regulations are subject to the procedure set out in this section.
- (7) Section 24 of PSPA 2013 (other procedure) does not apply to scheme regulations to which this section applies.
- (8) In this section, the following expressions have the same meaning as in PSPA 2013—

“the judiciary” (see paragraph 2 of Schedule 1 to that Act);

“negative procedure” (see section 38(3) of that Act);

“scheme” (see section 37 of that Act);

“scheme regulations” (see section 1(4) of that Act).”

Robert Jenrick		Agreed to on division	NC1
Andrew Percy			
Dame Margaret Hodge			
Greg Smith			
Scott Benton			
Mark Jenkinson			
Brendan Clarke-Smith	Sir Robert Buckland	Miriam Cates	
Craig Tracey	Jim Shannon	Damien Moore	
Caroline Ansell	Tom Tugendhat	Mr Jonathan Djanogly	
Bob Blackman	Stephen Hammond	Robert Langan	
Robert Halfon	Dr Matthew Offord	Karl McCartney	
Steve McCabe	Johnny Mercer	Chris Green	
Christian Wakeford	Simon Fell	Stephen Crabb	
Michael Fabricant			

To move the following Clause—

“Guidance to public service pension scheme managers on investment decisions

- (1) The Public Service Pensions Act 2013 is amended in accordance with subsection (2).
- (2) In schedule 3, paragraph 12(a), at end insert “including guidance or directions on investment decisions which it is not proper for the scheme manager to make in light of UK foreign and defence policy”.

Caroline Lucas	Not called	NC2
Nadia Whittome		
Mick Whitley		
Clive Lewis		

To move the following Clause—

“Investment decisions in funded schemes

- (1) Section 3 of the Public Service Pensions Act 2013 is amended in accordance with subsection (2).
- (2) After sub-paragraph (3) insert—

“(3A)Scheme regulations must require an authority’s investment strategy to ensure that investment decisions are consistent with the Glasgow Climate Pact 2021.”

Caroline Lucas
Nadia Whittome
Mick Whitley
Clive Lewis

Not called NC3

To move the following Clause—

“Investment decisions in funded schemes: fossil fuel assets

- (1) Section 3 of the Public Service Pensions Act 2013 is amended in accordance with subsection (2).
- (2) After sub-paragraph (3) insert—
“(3A)Scheme regulations must require the fund to have removed all investment in fossil fuel assets by 2030.””

Christine Jardine

Not called NC4

To move the following Clause—

“Review of the impact of this Act on fairness

- (1) The Chancellor of the Exchequer must commission a review of the impact of this Act on fairness to members in receipt of pensions to which this Part applies.
- (2) The Chancellor of the Exchequer must prepare and publish a report on this review within six months of the passage of this Act and must lay a copy of the report before Parliament.
- (3) The review under subsection (1) must include an assessment of the impact of the provisions of this Act on women.
- (4) The review under subsection (1) must make recommendations as to whether further legislation should be brought forward by the Government to close the public service pensions gap between men and women.”

Christine Jardine

Not called NC5

To move the following Clause—

“Guidance

- (1) Within six months of the passage of this Act the Chancellor of the Exchequer must lay before Parliament a copy of guidance to members of pension schemes affected by this Part.
- (2) The purpose of the guidance under subsection (1) is to ensure members are able to make informed choices about their pensions.
- (3) The Government must provide a free helpline or online service which members can use to receive further guidance about their pension.
- (4) Within six months of the day on which the guidance is published the Government must lay before Parliament a report on its effectiveness in achieving the purpose in subsection (2).”

Christine Jardine

Not called NC6

To move the following Clause—

“Impact on the recruitment of new holders of judicial offices

- (1) Within 12 months of the passage of this Act the Government must commission an evaluation of the impact of this Act on recruitment of new holders of judicial offices and on the diversity of the judiciary.
- (2) The Chancellor of the Exchequer must prepare and publish a report on this evaluation and must lay a copy of the report before Parliament.”

Tulip Siddiq

Negated on division NC8

To move the following Clause—

“Compensation of losses incurred by closure of legacy schemes

- (1) The Chancellor of the Exchequer must review how a loss incurred by a member with remediable service who is transferred to the new scheme under section 80 and—
 - (a) reaches the required number of years of pensionable service to retire with full benefits under the legacy scheme, and
 - (b) is unable to access the full value of those benefits because they must continue to work to retire with full benefits under the new schemecould be compensated.
- (2) The Chancellor of the Exchequer must prepare and publish a report on this review within two months of the passage of this Act and must lay a copy of the report before Parliament.”

Tulip Siddiq

Not called NC9

To move the following Clause—

“Equality impact analysis of provisions of this Act

- (1) The Chancellor of the Exchequer must review the equality impact of the provisions of this Act in accordance with this section and lay a report of that review before the House of Commons within six months of the passage of this Act.
- (2) A review under this section must consider the impact of those provisions on—
 - (a) people with protected characteristics (within the meaning of the Equality Act 2010), and
 - (b) the Government’s compliance with the public sector equality duty under section 149 of the Equality Act 2010.
- (3) A review under this section must include a separate analysis of each separate measure in the Act, and must also consider the cumulative impact of the Act as a whole.”

John McDonnell

Not called NC10

To move the following Clause—

“Report on losses incurred by closure of legacy schemes

The Chancellor of the Exchequer must consult with the relevant trade unions and other bodies representing pension scheme members and report within 6 months of the passage of this Act on the options available for addressing in a non-discriminatory manner any loss incurred by a member with remediable service who is transferred to the new scheme under section 80 and—

- (a) reaches the required number of years of pensionable service to retire with full benefits under the legacy scheme, but
 - (b) is unable to access the full value of those benefits because they must continue to work to retire with full benefits under the new scheme.”
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Mr Simon Clarke

Agreed to 1

Clause 6, page 7, line 21, leave out “in relation to the scheme”

Mr Simon Clarke

Agreed to 2

Clause 10, page 9, line 31, leave out “in relation to the scheme”

Mr Simon Clarke

Agreed to 3

Clause 14, page 11, line 33, leave out “in relation to the scheme”

Mr Simon Clarke **Agreed to** 4
Clause 14, page 12, line 26, leave out "in relation to the Chapter 1 legacy scheme"

Mr Simon Clarke **Agreed to** 5
Clause 15, page 12, line 40, leave out "in relation to the scheme"

Mr Simon Clarke **Agreed to** 6
Clause 15, page 13, line 13, leave out "in relation to the Chapter 1 legacy scheme"

Mr Simon Clarke **Agreed to** 7
Clause 16, page 14, line 3, leave out "in relation to the scheme"

Mr Simon Clarke **Agreed to** 8
Clause 16, page 14, line 8, leave out "in relation to the scheme"

Mr Simon Clarke **Agreed to** 9
Clause 16, page 14, line 13, leave out "in relation to the scheme"

Mr Simon Clarke **Agreed to** 10
Clause 17, page 15, line 3, leave out "in relation to the scheme"

Mr Simon Clarke **Agreed to** 11
Clause 23, page 22, line 5, leave out “in relation to the scheme”

Mr Simon Clarke **Agreed to** 12
Clause 25, page 23, line 11, leave out “in relation to the scheme”

Mr Simon Clarke **Agreed to** 13
Clause 25, page 23, line 15, leave out “in relation to the scheme”

Mr Simon Clarke **Agreed to** 14
Clause 30, page 27, line 28, leave out “in relation to the scheme”

Mr Simon Clarke **Agreed to** 15
Clause 77, page 57, line 33, leave out “the person’s” and insert “the date on which the person attains”

Mr Simon Clarke **Agreed to** 16
Clause 77, page 58, leave out lines 13 to 15 and insert—
““legacy scheme normal pension age” means—
(a) in a case in which the person meets the third condition in relation to a local government legacy scheme, the person’s normal pension age under that scheme;

(b) otherwise, the age of 65.”

Mr Simon Clarke **Agreed to** 17

Clause 85, page 62, line 35, at end insert—

“(aa) the power to make scheme regulations by virtue of section 81 (further powers to make provision about special cases) and any powers exercisable by virtue of such regulations;”

John McDonnell **Not called** 24

Clause 92, page 67, line 39, leave out paragraph (c) and insert—

“(c) leave out paragraph (c).”

John McDonnell **Not called** 22

Clause 92, page 67, line 39, leave out paragraphs (c) and (d)

Tulip Siddiq **Not called** 23

Page 70, line 27, leave out clause 93

Mr Simon Clarke **Agreed to** 18

Clause 128, page 103, line 12, at end insert—

“(1A)In Schedule 3 (judicial offices)—

(a) Part 4 extends to Northern Ireland only;

(b) Part 5 extends to England and Wales only.”

Mr Simon Clarke

Agreed to 19

Clause 129, page 103, line 16, leave out from beginning to “the” in line 18 and insert—

“(1) Any provision of, or amendment made by, Part 1 or 3, so far as it—

- (a) confers a power to make subordinate legislation or give directions, or
 - (b) otherwise relates to”
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Mr Simon Clarke

Agreed to 20

Schedule 1, page 109, leave out lines 42 to 46 and insert—

“President of the Education Tribunal for Wales

Member of the legal chair panel, or the lay panel, of the Education Tribunal for Wales”

Mr Simon Clarke

Agreed to 21

Schedule 3, page 121, leave out lines 37 and 38 and insert—

“Member of the legal chair panel of the Education Tribunal for Wales”

Bill read the third time, and passed.

Glossary

Added: New Clause agreed without a vote and added to the Bill.

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negated: rejected without a vote.

Negated on division: rejected following a vote.

Not called: debated in a group of amendments, but not put to a decision.

Not moved: not debated or put to a decision.

Question proposed: debate underway but not concluded.

Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.

Not selected: not chosen for debate by the Speaker.
