

2011 No. 2485 (C. 90)

PARLIAMENT

**The Constitutional Reform and Governance Act 2010
(Commencement No. 6, Specified Day and Transitional
Provision) Order 2011**

Made - - - -

17th October 2011

The Leader of the House of Commons^(a) makes the following Order in exercise of the powers conferred by section 52(2) and (4) of, and paragraph 44(4) and (8) of Schedule 6 to, the Constitutional Reform and Governance Act 2010^(b):

Citation and interpretation

1.—(1) This Order may be cited as the Constitutional Reform and Governance Act 2010 (Commencement No.6, Specified Day and Transitional Provision) Order 2011.

(2) In this Order “the 2010 Act” means the Constitutional Reform and Governance Act 2010.

Commencement

2.—(1) The provisions of the 2010 Act specified in paragraph (2) come into force on 24th October 2011.

(2) The provisions referred to in paragraph (1) are—

- (a) Section 40 (Parliamentary and other pensions) in so far as it relates to the provisions specified in subparagraphs (b) and (c);
- (b) in Schedule 6 (Parliamentary and other pensions)—
 - (i) Part 1 (Parliamentary and other pensions); and
 - (ii) Part 2 (Provision which may be included in schemes);
- (c) in Part 3 of Schedule 6 (Amendments, transitional provision etc)—
 - (i) paragraph 35(1) and (2);
 - (ii) paragraphs 36, 37 and 42 to 46;
 - (iii) paragraph 47(1);
 - (iv) paragraph 47(2) except in so far as it inserts the words “,4 and 6” and “or 4” in paragraph 18(3)(a) of Schedule 1 to the Parliamentary Standards Act 2009^(c);
 - (v) paragraph 47(3); and
 - (vi) paragraphs 48 to 50.

^(a) The Leader of the House of Commons is the Minister of the Crown designated as such by the Prime Minister.

^(b) 2010 c.25.

^(c) 2009 c.13.

Specified day

3. The specified day for the purpose of paragraph 44(8) of Schedule 6 to the 2010 Act is 24th October 2011.

Paragraph 12 of Schedule 6 to the 2010 Act: transitional provision

4. Any provision of the existing regulations which could not be contained in a scheme under paragraph 12 of Schedule 6 to the 2010 Act has effect as if contained in a scheme under that paragraph.

17th October 2011

G. S. K. Young
Leader of the House of Commons

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Constitutional Reform and Governance Act 2010 (“the 2010 Act”) which make provision for the Independent Parliamentary Standards Authority (“the IPSA”) and the Minister for the Civil Service to make Parliamentary pension schemes. All provisions brought into force by this Order come into force on 24th October 2011.

The commenced provisions—

- provide that the IPSA may make a scheme about the administration and management of the Parliamentary Contributory Pension Fund (paragraph 8 of Schedule 6);
- provide that the IPSA may make a MPs’ pension scheme (paragraph 12 of Schedule 6);
- provide that the Minister for the Civil Service may make a Ministers’ etc pension scheme (paragraph 16 of Schedule 6);
- detail the provision which may be included in the schemes (Part 2 of Schedule 6); and
- make amendments and transitional provision in relation to Parliamentary and other pensions (in Part 3 of Schedule 6) including providing for the existing regulations which deal with Parliamentary pension schemes to have effect as if they were the administration scheme, MPs’ pension scheme and Ministers’ etc scheme made under paragraphs 8, 12 and 16 of Schedule 6 (paragraph 44(1) of Schedule 6).

Article 3 of the Order specifies that the existing regulations are those in force immediately before 24th October 2011. The existing regulations are those made under section 2 of the Parliamentary and other Pensions Act 1987 which, by virtue of paragraph 44(1) and (8) of Schedule 6 to the 2010 Act, have effect as if they were the administration scheme, MPs’ pension scheme and Ministers’ etc scheme.

Article 4 of the Order provides that any provision of the existing regulations which could not be contained in the MPs’ pension scheme has effect as if contained in that scheme.

A regulatory impact assessment has not been prepared for this Order as no impact on the private or voluntary sectors is foreseen.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Constitutional Reform and Governance Act 2010 have been brought into force by a commencement order made before the date of this order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 26	19th April 2010	2010/1277
Section 27	7th May 2010	2010/1277
Section 28(1) to (3)	7th May 2010	2010/1277
Section 30	7th May 2010	2010/1277
Section 31(6)	7th May 2010	2010/1277
Section 32	7th May 2010	2010/1277
Section 36	7th May 2010	2010/1277
Section 37	7th May 2010	2010/1277
Section 38 (in part)	19th April 2010	2010/1277
	7th May 2010	2010/1277
Schedule 3	19th April 2010	2010/1277
Schedule 5: paragraphs 1, 2(b), 4(1) and (2)(a), 5(1) and (3), 7(1); and 7(4) (in part)	19th April 2010	2010/1277
Schedule 5: paragraphs 2(a), 3, 4(2)(b), 5(2), 6, and 7(2), (3)(c) and (4)(c)	7th May 2010	2010/1277
Section 28(4)	27th July 2010	2010/1931
Section 31(1) to (5)	27th July 2010	2010/1931
Section 33	27th July 2010	2010/1931
Section 34	27th July 2010	2010/1931
Section 35	27th July 2010	2010/1931
Section 38 (in part)	27th July 2010	2010/1931
Schedule 4	27th July 2010	2010/1931
Schedule 5: paragraph 4(3) and paragraph 7(3)(b), (4)(b), (4)(d) so far as not already in force, and (5)	27th July 2010	2010/1931
Part 1 (the civil service)	11th November 2010	2010/2703
Part 2 (ratification of treaties)	11th November 2010	2010/2703
Part 3 (transparency of government financial reporting to parliament)	11th November 2010	2010/2703
Section 46(1) (in part)	19th January 2011	2011/46
Schedule 7: paragraphs 1 to 3, paragraph 5(2)(b) (in part), paragraph 5(4) (in part) and paragraph 6 (in part)	19th January 2011	2011/46
Section 29 (MPs salaries)	24th May 2011	2011/1274
Section 38 and Schedule 5 (Parliamentary standards: consequential amendments) so far as not already in force	24th May 2011	2011/1274
Section 39 (resettlement grants for MEPs)	24th May 2011	2011/1274

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