



Jersey

# **PUBLIC EMPLOYEES (RETIREMENT) (JERSEY) LAW 1967**

## **Official Consolidated Version**

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

Showing the law from 1 January 2019 to Current



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**PUBLIC EMPLOYEES (RETIREMENT) (JERSEY)  
LAW 1967**

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Jersey

## PUBLIC EMPLOYEES (RETIREMENT) (JERSEY) LAW 1967<sup>1</sup>

A **LAW** to make provision for the retirement of, and for the payment of pensions and other benefits to or in respect of, certain employees and for matters connected therewith

Commencement [[see endnotes](#)]

### 1 Interpretation

- (1) In this Law, unless the context otherwise requires –
- “appointed day” means such day or days as the States may by Act appoint for the coming into force of the [Public Employees \(Pensions\) \(Jersey\) Law 2014](#), or a provision of it; and
  - “Committee of Management” means the Committee of Management established to manage the scheme by Regulations made under Article 2(1);
  - “fund” means the pension fund established by Regulations made under Article 2(1);
  - “Minister” means the Chief Minister;
  - “scheme” means the scheme established by Regulations made under Article 2(1);
  - “States Employment Board” means the States Employment Board established by the [Employment of States of Jersey Employees \(Jersey\) Law 2005](#).<sup>2</sup>
- (2) For the purposes of this Law the following are to be taken to be employed by the States Employment Board, namely –
- (a) officers referred to in Article 1(1)(a) to (d) of the [Departments of the Judiciary and the Legislature \(Jersey\) Law 1965](#), and
  - (aa) the holder of the office of Information Commissioner (within the meaning of Article 5 of the [Data Protection Authority \(Jersey\) Law 2018](#));
  - (ab) the Greffier of the States and Deputy Greffier of the States (within the meaning of Article 41 of the [States of Jersey Law 2005](#));
  - (b) the Magistrate and Assistant Magistrate;
  - (ba) police officers in the States of Jersey Police Force;
  - (c) the Master of the Royal Court;
  - (d) a “*délegué*” as defined by Article 1(2) of the [Loi \(1937\) sur l’atténuation des peines et sur la mise en liberté surveillée](#) (a probation officer).<sup>3</sup>

**2 States to establish pension scheme<sup>4</sup>**

- (1) The States shall by Regulations establish a scheme to provide for the payment of pensions and other benefits to persons who retire from employment with the States, their widows, widowers or civil partners, children and dependants.<sup>5</sup>
- (2) The Regulations –
  - (a) shall establish a pension fund;
  - (b) shall prescribe the terms and conditions on which a person is admitted to the scheme as a contributory member;
  - (c) shall provide for the contributions to be made to the fund by the States and by contributory members;
  - (d) shall provide for the pensions and other benefits contributory members of the scheme, their widow, widowers or civil partners, children and dependants are to receive under the scheme;
  - (e) shall make proper provision for persons who cease to be contributory members of the scheme before they become entitled to receive a pension or other benefit under the scheme;
  - (f) shall provide for the setting up of a Committee of Management to manage the scheme;
  - (g)
  - (h) may make different provisions for different classes of contributory members;
  - (i) <sup>6</sup>
- (3) <sup>7</sup>
- (4) <sup>8</sup>
- (5) <sup>9</sup>
- (6) <sup>10</sup>

**3 Management of fund and scheme<sup>11</sup>**

- (1) The fund and the scheme established by the [Public Employees \(Contributory Retirement Scheme\) \(Jersey\) Regulations 1967](#) pursuant to the powers conferred under Article 2, shall on the appointed day, be managed in accordance with Regulations made under Article 2 of the [Public Employees \(Pensions\) \(Jersey\) Law 2014](#).
- (2) Nothing in this Article shall be taken to affect anything done by the Committee of Management or the Minister under Regulations made under Article 2, in respect of the management of the fund and the scheme immediately before the appointed day.

**4 Power to extend application of scheme<sup>12</sup>**

- (1) The States may make Regulations empowering the Minister, on the application of an employer who satisfies the Minister that it is appropriate to do so, to admit –
  - (a) the employer; and
  - (b) persons in the employment of that employer, to participate in the scheme.
- (2) The Regulations may –

- (a) specify terms and conditions on which the employer and the employees respectively may participate in the scheme, or specify any other manner in which such terms and conditions shall be determined; and
  - (b) impose additional obligations on any person as may be specified, or specify any other manner in which such additional obligations shall be imposed on any such person.<sup>13</sup>
- (3) In specifying a manner in which terms and conditions shall be determined or additional obligations shall be imposed, the Regulations may refer to and adopt terms that are set out in a document other than the Regulations.
- (4) <sup>14</sup>
- (5) For the purposes of this Article, it is immaterial whether at the time when the Regulations are made an additional obligation to which this Article refers already exists otherwise than under or by virtue of this Law.

## **5 Citation**

This Law may be cited as the Public Employees (Retirement) (Jersey) Law 1967.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement	Project No (where applicable)
Public Employees (Retirement) (Jersey) Law 1967	<a href="#">L.11/1967</a>	1 January 1968 ( <a href="#">L.4/2005</a> )	
Public Employees (Retirement) (Amendment) (Jersey) Law 1973	<a href="#">L.2/1973</a>	23 February 1973	
Public Employees (Retirement) (Amendment No. 2) (Jersey) Law 1987	<a href="#">L.4/1987</a>	1 January 1968	
Public Employees (Retirement) (Amendment No. 3) (Jersey) Law 1988	<a href="#">L.3/1988</a>	12 February 1988	
Public Employees (Retirement) (Amendment No. 4) (Jersey) Law 1994	<a href="#">L.13/1994</a>	27 May 1994	
Public Employees (Retirement) (Amendment No. 5) (Jersey) Law 1995	<a href="#">L.29/1995</a>	20 October 1995 (Article 1(a)) in force 1 January 1993)	
Public Employees (Retirement) (Validation and Amendment) (Jersey) Law 2005	<a href="#">L.4/2005</a>	28 January 2005 (substitution of Articles 1 to 3 by Article 3(1) deemed in force 1 January 1968; substitution of Articles 1 to 3 by Article 3(2) deemed in force 12 February 1988; amendment of Article 1(1) by Article 3(3) deemed in force 12 December 2002	<a href="#">P.192/2004</a> (re-issue)
States of Jersey (Amendments and Construction Provisions No. 1) (Jersey) Regulations 2005	<a href="#">R&amp;O.42/2005</a>	9 December 2005	<a href="#">P.42/2005</a>
States of Jersey (Amendments and Construction Provisions No. 12) (Jersey) Regulations 2005	<a href="#">R&amp;O.133/2005</a>	9 December 2005	<a href="#">P.217/2005</a>
Employment of States of Jersey Employees (Consequential, Amendment, Repeal, Transitional and Savings Provisions) (Jersey) Regulations 2005	<a href="#">R&amp;O.155/2005</a>	9 December 2005	<a href="#">P.243/2005</a>

Legislation	Year and No	Commencement	°Projet No (where applicable)
Public Employees (Retirement) (Amendment No. 6) (Jersey) Law 2007	<a href="#">L.5/2007</a>	12 January 2007	<a href="#">P.118/2006</a>
Civil Partnership (Consequential Amendments) (Jersey) Regulations 2012	<a href="#">R&amp;O.47/2012</a>	2 April 2012	<a href="#">P.12/2012</a>
Public Employees (Retirement) (Amendment and Validation) (Jersey) Law 2014	<a href="#">L.8/2014</a>	8 May 2014 The effective dates of the amendments are as follows – (a) 1 December 2005, as to the insertion of Article 1(2)(aa); (b) 9 December 2005, as to the substitution of Article 1(2)(a) and the insertion of Article 1(2)(ab); (c) 1 September 2013, as to the substitution of Article 1(2)(c) and the addition of Article 1(2)(d).	<a href="#">P.159/2013</a>
States of Jersey Police Force Law 2012	<a href="#">L.37/2012</a>	1 August 2014 ( <a href="#">R&amp;O.87/2014</a> )	<a href="#">P.182/2011</a>
Public Employees (Pensions) (Jersey) Law 2014	<a href="#">L.18/2014</a>	1 January 2016 ( <a href="#">R&amp;O.143/2015</a> )	<a href="#">P.28/2014</a>
Data Protection Authority (Jersey) Law 2018	<a href="#">L.4/2018</a>	25 May 2018	<a href="#">P.117/2017</a>

°Projets available at [www.statesassembly.gov.je](http://www.statesassembly.gov.je)

### Table of Renumbered Provisions

Original	Current
2(2)(da)	2(2)(e)
(db)	(f)
(e)	(g)
(f)	(h)
(g)	(i)
3(1)(e)	3(1)(d)
(2A)	(3)
(3)	(4)
(4)	(5)
(5)	(6)
(6)	(7)
5	spent, omitted from this revised edition

Original	Current
6(1)	5
6(2)	omitted, lapsed

## Table of Endnote References

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- <sup>1</sup> *This Law has been amended by the States of Jersey (Amendments and Construction Provisions No. 1) (Jersey) Regulations 2005 and the States of Jersey (Amendments and Construction Provisions No. 12) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government.*  
*This Law has been amended by the Employment of States of Jersey Employees (Consequential, Amendment, Repeal, Transitional and Savings Provisions) (Jersey) Regulations 2005. The amendments are consequential upon the repeal of the Civil Service (Administration) (Jersey) 1948 and its replacement by the Employment of States of Jersey Employees (Jersey) Law 2005.*
- <sup>2</sup> Article 1(1) amended by L.18/2014
- <sup>3</sup> Article 1(2) amended by L.8/2014 (see note in table of legislation history as to effective dates of amendments), L.37/2012, L.4/2018
- <sup>4</sup> Article 2 substituted by Article 3(2) of L.4/2005
- <sup>5</sup> Article 2(1) amended by R&O.47/2012
- <sup>6</sup> Article 2(2) amended by R&O.47/2012, L.18/2014, editorial change, in subparagraph (d), “dependents” deleted, “dependants” inserted instead
- <sup>7</sup> Article 2(3) deleted by L.18/2014
- <sup>8</sup> Article 2(4) deleted by L.18/2014
- <sup>9</sup> Article 2(5) deleted by L.18/2014
- <sup>10</sup> Article 2(6) deleted by L.18/2014
- <sup>11</sup> Article 3 substituted by L.18/2014
- <sup>12</sup> Article 4 substituted by L.5/2007
- <sup>13</sup> Article 4(2) amended by L.18/2014
- <sup>14</sup> Article 4(4) deleted by L.18/2014