

2015 No.

PENSIONS

The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations 2015

Made - - - - - ***
Laid before Parliament ***
Coming into force - - - - - *6th April 2015*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 113(1) to (3A), 181(1) and 182(2) of the Pension Schemes Act 1993(a) and sections 10(3), 41(1), (5), (5A) and (6), 124(1) and 174(2) and (3) of the Pensions Act 1995(b).

In accordance with section 185(1) of the Pension Schemes Act 1993(c), the Secretary of State has consulted with such persons as the Secretary of State considers appropriate.

Citation and commencement

1. These Regulations may be cited as the Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations 2015 and come into force on 6th April 2015.

Amendment of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013

2.—(1) The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013(d) are amended as follows.

- (2) In regulation 2 (interpretation), omit the definition of “funded”.
- (3) In regulation 4(2) (application of these Regulations)—

(a) 1993 c. 48. Paragraph (ca) of section 113(1) was inserted by the Child Support, Pensions and Social Security Act 2000 (c. 19), section 52(1); paragraph (e) of section 113(2) was inserted by the Pensions Act 2004, section 319(1) and Schedule 12, paragraphs 9 and 17; paragraph (b) of section 113(2) was amended by the Civil Partnership (Pensions and Benefit Payments) (Consequential, etc Provisions) Order 2005 (S.I. 2005/2053), article 2 and Schedule Part 3, paragraph 14. Section 113(3A) was inserted by the Child Support, Pensions and Social Security Act 2000, section 52(2) and amended by the Pensions Act 2007, section 17 and Schedule 5, paragraph 6. Section 181(1) is cited for the meaning it gives to “prescribed”. There are amendments to section 181(1) not relevant to these Regulations.

(b) 1995 c. 3. Section 41(5) was substituted by the Child Support, Pensions and Social Security Act 2000, section 56 and Schedule 5, Part 1, paragraph 12(1). Section 124(1) is cited for the meaning it gives to “prescribed”. There are amendments to section 124(1) not relevant to these Regulations.

(c) Section 185(1) was amended by the Pensions Act 1995 (c. 35), section 122 and Schedule 3, paragraph 46; section 151 and Schedule 5, paragraphs 80(a), (d) and (f); section 177 and Schedule 7, Part 1.

(d) S.I. 2013/2734.

- (a) in sub-paragraph (b), after the words in parentheses insert “or it is a defined benefits scheme under section 1 (schemes for persons in public service) of the Public Service Pensions Act 2013(a) in relation to persons specified in subsection (2)(c) of that section”; and
- (b) for sub-paragraph (c), substitute—
 - “(c) it is provided for by section 40 of, and Schedule 6 to, the Constitutional Reform and Governance Act 2010 (Parliamentary and other pensions)(b).”.
- (4) After regulation 4(7) insert—
 - “(8) In this regulation “defined benefits scheme” has the meaning given in section 37 of the Public Service Pensions Act 2013.”.
- (5) In regulation 10(4) (former stakeholder pension schemes), for “two weeks of” substitute “two weeks after”.
- (6) In regulation 16(1) (statements of benefits: non money purchase benefits)—
 - (a) at the end of sub-paragraph (b), omit “and”;
 - (b) in sub-paragraph (c), for “request.” substitute “request, and”; and
 - (c) after sub-paragraph (c) insert—
 - “(d) in the circumstances mentioned in paragraph (2)(a), a benefit information statement has not been provided pursuant to section 14(1) (information about benefits) of the Public Service Pensions Act 2013 in the 12 months before the request in sub-paragraph (b).”.
- (7) In Schedule 2 (basic information), for paragraph 26 substitute—
 - “**26.** A statement setting out—
 - (a) which benefits—
 - (i) are provided by means of the setting aside of resources (other than assets at the disposal of the employer of any person who is employed in relevant employment) for a benefit, before the benefit becomes payable, that are related to the intended rate or amount of benefit; and
 - (ii) are not provided by that means; and
 - (b) the manner in which any benefits mentioned in sub-paragraph (a)(i) are secured.”.

Signatory text

Address	<i>Name</i> Parliamentary Under-Secretary of State
Date	Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (S.I. 2013/2734).

Regulation 2(3) amends regulation 4 to—

(a) 2013 c. 25 ('the 2013 Act').
 (b) 2010 c. 25. Paragraph 12(2) to (5) of Schedule 6 was repealed by the 2013 Act, section 33 and Schedule 11, paragraph 1(1) and (2); paragraph 16(2)(ba) and (bb) of that Schedule was inserted by the 2013 Act, section 33 and Schedule 11, paragraph 1(1) and (3)(a) and paragraph 16(3) of that Schedule was repealed by the 2013 Act, section 33 and Schedule 11, paragraph 1(1) and (3)(b).

— (Regulation 2(3)(a)) reflect that, although pursuant to section 28(3) of the Public Service Pensions Act 2013 (c. 25) (the ‘2013 Act’) regulations in relation to local government workers previously under section 7 of the Superannuation Act 1972 (c. 11) have automatically taken effect as regulations under section 1 of the 2013 Act, regulation 4(2) would also apply to any future defined benefit schemes for local government workers for England, Wales and Scotland in regulations made solely under section 1 of the 2013 Act; and

— (Regulation 2(3)(b)) update a reference in regulation 4(2)(c).

Regulation 2(4) adds a definition necessitated by the amendment in regulation 2(3)(a).

Regulation 2(5) corrects a grammatical error in regulation 10.

Regulation 2(6) amends regulation 16 so as to ensure that trustees or managers do not have to provide a statement of benefits where a benefit information statement has been provided under section 14(1) of the 2013 Act in the last 12 months.

Regulation 2(7) replaces paragraph 26 of Schedule 2 with a more easily understood paragraph and regulation 2(2) removes the associated definition that is no longer needed.