
Changes to legislation: There are currently no known outstanding effects for the Taxation of Pensions Act 2014, Paragraph 22. (See end of Document for details)

SCHEDULES

SCHEDULE 2

DEATH OF PENSION SCHEME MEMBER

PART 3

UNCRYSTALLISED RIGHTS AT MEMBER'S DEATH

- 22 (1) Section 217 of FA 2004 (persons liable to lifetime allowance charge) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) Subsection (1) is subject to subsections (2) and (2A).”
- (3) In subsection (2) for “But where” substitute “Where”.
- (4) After subsection (2) insert—
- “(2A) Where the liability arises by reason of a designation mentioned in the description of benefit crystallisation event 5C, it is a liability of the dependant or nominee (as the case may be).”
- (5) For subsections (3) and (4) (multiple relevant lump sum death benefits) substitute—
- “(3) Subsection (4) applies if—
- (a) two or more relevant post-death benefit crystallisation events occur in respect of an individual, and
- (b) tax is not chargeable on the whole of the total of the amounts crystallised by them.
- (4) The person liable under subsection (2) or (2A) to the lifetime allowance charge charged by reason of the occurrence of any one of the relevant post-death benefit crystallisation events is liable to such portion of the total amount of the tax payable by reason of the relevant post-death benefit crystallisation events having occurred as appears to an officer of Revenue and Customs to be just and reasonable.
- (4A) For the purposes of subsections (3) and (4), a benefit crystallisation event is a “relevant post-death benefit crystallisation event” if it is benefit crystallisation event 5C or 7.”
- (6) The amendment made by sub-paragraph (5) comes into force on 6 April 2015.

Commencement Information

- II** [Sch. 2 para. 22](#) in force at Royal Assent, but see sub-para. (6)

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