
EXPLANATORY NOTE

(This note is not part of the Regulations)

The provisions of these Regulations are either consequential on the Pensions Act 1995, (in particular the provisions of that Act relating to the dissolution of the Occupational Pensions Board (“OPB”)) or made for the purpose of consolidating regulations which are to be revoked.

Regulation 2 amends the Occupational Pension Scheme (Preservation of Benefit) Regulations 1991. It provides for—

the removal of provision for the OPB to exercise its discretion in certain cases (paragraphs (3), (4), (5), (8), (9), (11), (12), (13), (14), (15), (16) and (17));

the transfer of rights to an overseas arrangement to be an alternative to short service benefit (paragraph (6));

a test to determine whether uniform accrual is to be applied in relation to money purchase benefits (paragraph (10));

requirements (formerly in the Occupational Pension Schemes (Disclosure of Information) Regulations 1986) (S.I.1986/1046) for members to be furnished with information in relation to any transfer of accrued rights without consent or in relation to rights on termination of pensionable service (paragraphs (7) and (18));

a civil penalty for failure to comply with the requirements to provide such information (paragraph (18)).

Regulation 3 amends regulation 5 of Personal and Occupational Pension Schemes (Perpetuities) Regulations 1990 in relation to the extension of the time limit under that regulation, by substituting a reference to the Secretary of State for a reference to the OPB.

Regulation 4 is a transitional provision relating to cases where the OPB has given its approval for uniform accrual not to be applied in relation to the computation of money purchase benefits.

These Regulations do not impose any costs on business.