
STATUTORY INSTRUMENTS

1997 No. 470

PENSIONS

**The Personal Pension Schemes
(Appropriate Schemes) Regulations 1997**

Made - - - - 25th February 1997
Laid before Parliament 4th March 1997
Coming into force - - 6th April 1997

The Secretary of State for Social Security, in exercise of the powers conferred upon him by sections 7(1), (6) and (7), 9, 26, 34(1), (2) and (8), 43(1) and (3), 44(1) and (2), 45(3), 45B, 155, 181(1), 182(3) and (4), and 183(1) of the Pension Schemes Act 1993^{M1} and of all other powers enabling him in that behalf, after agreement with the Occupational Pensions Board that certain proposals embodied in these Regulations need not be referred to them, by this instrument, which otherwise contains regulations made for the purpose of consolidating regulations revoked herein^{M2}, hereby makes the following Regulations:

Marginal Citations

- M1** 1993 c.48 as amended by [Part III of the Pensions Act 1995 \(c.26\)](#). Section 181(1) is cited because of the meaning ascribed to “prescribed” and “regulations”.
- M2** See section 185(1), (2) and (6) of the [Pension Schemes Act 1993 \(c.48\)](#) and section 173(1)(b) of the [Administration Act 1992 \(c.5\)](#), under which the requirement to consult does not apply where regulations are made only for the purpose of consolidating other regulations revoked by them or which are where the Occupational Pensions Board agrees that regulations need not be referred to them.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Personal Pension Schemes (Appropriate Schemes) Regulations 1997 and shall come into force on 6th April 1997.

(2) In these Regulations—

“the 1993 Act” means the Pension Schemes Act 1993;

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F1
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F2
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F3

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“overseas scheme” means an occupational pension scheme which is administered wholly or primarily outside the United Kingdom but does not include one which is contracted-out within the meaning of section 7(3) of the 1993 Act nor one to which section 53^{M3} of the 1993 Act applies;

“pensionable age” has the meaning given by the rules in paragraph 1 of Part I of Schedule 4 to the Pensions Act 1995; and

F2

...

“tax week” has the same meaning as in section 181(1) of the 1993 Act.

F2

...

- (3) In these Regulations, unless the context otherwise requires, any reference—
 - (a) to a numbered regulation is to the regulation in these Regulations bearing that number;
 - (b) in a regulation to a numbered paragraph is to the paragraph of that regulation bearing that number; and
 - (c) in a paragraph to a lettered sub-paragraph is to the sub-paragraph of that paragraph bearing that letter.

- F1** Words in reg. 1(2) omitted (6.4.2012) by virtue of [The Pensions Act 2007 \(Abolition of Contracting-out for Defined Contribution Pension Schemes\) \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/1245\)](#), regs. 1(2), **10(2)**
- F2** Words in reg. 1(2) omitted (1.10.2008) by virtue of [Personal and Occupational Pension Schemes \(Protected Rights\) Regulations 2008 \(S.I. 2008/1979\)](#), regs. 1, **3(2)**
- F3** Words in reg. 1(2) revoked (1.12.2001) by [The Financial Services and Markets Act 2000 \(Consequential Amendments and Repeals\) Order 2001 \(S.I. 2001/3649\)](#), arts. 1, **550(2)**

Marginal Citations

- M3** Section 7 was amended by section 136(1) of, and paragraph 22 of Schedule 5, to the Pensions Act 1995. Section 53 was amended by paragraph 48 of Schedule 5 to the Pensions Act 1995.

Forms of schemes which may be appropriate schemes

F4 2.

- F4** Reg. 2 revoked (6.4.2012) by [The Pensions Act 2007 \(Abolition of Contracting-out for Defined Contribution Pension Schemes\) \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/1245\)](#), regs. 1(2), **10(3)(a)**

Persons who and bodies which may establish schemes

F5 3.

- F5** Reg. 3 omitted (1.10.2008) by virtue of [Personal and Occupational Pension Schemes \(Protected Rights\) Regulations 2008 \(S.I. 2008/1979\)](#), regs. 1, **3(4)**

Requirements in respect of an application for an appropriate scheme certificate

4.—^{F6}(1) Every application for an appropriate scheme certificate (“the certificate”) shall be made in writing to the Secretary of State and shall include—

- (a) the name of the scheme and the address where it is administered;
- (b) the names and addresses of the administrators of the scheme;
- (c) the name, address and position (in relation to the scheme) of the person making the application for the certificate;
- (d) the name and address of the person who has established the scheme or, in the case of a company, the registered office;
- (e) such evidence as the Secretary of State may reasonably require that the scheme satisfies such of the requirements of regulation 3 as apply to it;
- (f) which of the forms specified in regulation 2(2) the scheme is to take
- (g) the name and address of a bank or building society which accepts payments made by automated credit transfer together with the name and account number of that bank or building society into which it is desired that minimum contributions should be paid; and
- (h) the date from which the desired certificate shall have effect.

(2) Every application shall be accompanied by a copy of—

the documents constituting the scheme; and

the rules of the scheme, if they are not set out in those documents or any of them,

except where the Secretary of State in his discretion dispenses wholly or partly with this requirement.

(3) Every person who has made an application shall supply such other documents and information as the Secretary of State may reasonably require.]

F6 Reg. 4 revoked (E.W.S.) (6.4.2012) by [The Pensions Act 2007 \(Abolition of Contracting-out for Defined Contribution Pension Schemes\) \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/1245\)](#), regs. 1(2), **10(3)(b)**

Issue of appropriate scheme certificates

5. ^{F7}When the Secretary of State has determined that a personal pension scheme is, or at any time was, an appropriate scheme, he shall issue an appropriate scheme certificate so stating to the person who applied for it.]

F7 Reg. 5 revoked (E.W.S.) (6.4.2012) by [The Pensions Act 2007 \(Abolition of Contracting-out for Defined Contribution Pension Schemes\) \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/1245\)](#), regs. 1(2), **10(3)(c)**

Requirement to give the Secretary of State information

6. ^{F8}The administrators of the scheme shall furnish the Secretary of State—

(a) with such reports, accounts and other documents and information relating to the scheme to which the certificate relates, in such manner and at such times as is reasonably required by him;

(b) with particulars in writing of—

- (i) any change in identity, names and addresses of the administrators of the scheme;

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- (ii) any change in the name or address of the person who has established the scheme;
- (iii) any change affecting the information given under regulation 4(1)(e) and (f); and
- (iv) any change of circumstances affecting the scheme as the Secretary of State may have required them to notify.

as soon as practicable after its occurrence.]

F8 Reg. 6 revoked (E.W.S.) (6.4.2012) by [The Pensions Act 2007 \(Abolition of Contracting-out for Defined Contribution Pension Schemes\) \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/1245\)](#), regs. 1(2), **10(3)(d)**

Provision of information for purposes of contracting-out

^{F9}**6A.**

F9 Reg. 6A revoked (6.4.2012) by [The Pensions Act 2007 \(Abolition of Contracting-out for Defined Contribution Pension Schemes\) \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/1245\)](#), regs. 1(2), **10(3)(e)**

Cancellation, variation and surrender of an appropriate scheme certificate

7. [^{F10} An appropriate scheme certificate may be cancelled, varied or surrendered where there is any change in respect of the information which was provided by virtue of regulations 4 and 6.]

F10 Reg. 7 revoked (E.W.S.) (6.4.2012) by [The Pensions Act 2007 \(Abolition of Contracting-out for Defined Contribution Pension Schemes\) \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/1245\)](#), regs. 1(2), **10(3)(f)**

Applications for the variation of, and to surrender, appropriate scheme certificates

8.—[^{F11}(1) Every application for the variation of, or to surrender, an appropriate scheme certificate—

- (a) shall be made in writing to the Secretary of State by the administrators of the scheme;
- (b) shall be made only after notices of intention to make that application have been given by the administrators in accordance with paragraph (2) except where (in the case of an application for the variation of an appropriate scheme certificate) the Secretary of State dispenses with this requirement; and
- (c) shall include a statement that all notices required by paragraph (2) to be given in relation to that application have been duly given.

(2) Notice of intention to make an application such as is mentioned in paragraph (1) shall be given in writing to—

- (a) any member of the scheme who has protected rights under it; and
- (b) any earner who, jointly with the trustees or managers of the scheme, has given in relation to the scheme a notice under section 44(1) of the 1993 Act which has not been cancelled,

by sending it to his last known address.

(3) Notices given under this regulation shall specify—

- (a) the name of the scheme and the address where it is administered;

- (b) the date from which it is desired that the variation or surrender shall have effect; and
 - (c) where the application is to surrender an appropriate scheme certificate, any arrangements made or proposed for the preservation or transfer of protected rights under the scheme.
- (4) Every person who makes an application under this regulation shall supply such other documents and information as the Secretary of State may reasonably require.]

F11 Reg. 8 revoked (E.W.S.) (6.4.2012) by [The Pensions Act 2007 \(Abolition of Contracting-out for Defined Contribution Pension Schemes\) \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/1245\)](#), regs. 1(2), **10(3)(g)**

Cancellation of an appropriate scheme certificate

9. [^{F12} For the purpose of section 34(8) of the 1993 Act (no cancellation of an appropriate scheme certificate shall have effect from a date earlier than that on which the cancellation is made except in prescribed circumstances) the prescribed circumstance is where the Secretary of State considers that the scheme has failed to satisfy the requirements for continuing to be an appropriate scheme before the date cancellation is made and in such a case the date of effect of the cancellation—

- (a) shall not be a date other than 6th April in any year; and
- (b) shall not be earlier than 6th April in the tax year in which the Secretary of State considers that the scheme first failed to satisfy those requirements.]

F12 Reg. 9 revoked (E.W.S.) (6.4.2012) by [The Pensions Act 2007 \(Abolition of Contracting-out for Defined Contribution Pension Schemes\) \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/1245\)](#), regs. 1(2), **10(3)(h)**

Notice under section 44(1) of the 1993 Act

10.—[^{F13}(1) A notice under section 44(1) of the 1993 Act (notice of earner’s chosen scheme) shall be given in writing in such form as the Secretary of State may in his discretion accept.

(2) Subject to paragraph (4), the date specified in a notice under section 44(1) of the 1993 Act as the date from which the scheme is to be the earner’s chosen scheme shall, subject to paragraph (3), be 6th April in the year notice is given or 6th April in the next tax year.

(3) Where a notice is given by 17th May in a tax year it may specify 6th April in the preceding tax year.

(4) In a case where a scheme (“the first scheme”) was an earner’s chosen scheme on the date with effect from which the first scheme ceased to be an appropriate scheme, the date specified in a notice under section 44(1) of the 1993 Act as the date from which another scheme (“the second scheme”) is to be the earner’s chosen scheme may be the date with effect from which the first scheme ceased to be an appropriate scheme (whether or not that date is 6th April), if that date is not earlier than whichever is the earlier of—

- (a) the date 6 months earlier than that on which the Secretary of State receives the notice; and
- (b) 6th April in the tax year in which the Secretary of State receives the notice.]

F13 Reg. 10 revoked (E.W.S.) (6.4.2012) by [The Pensions Act 2007 \(Abolition of Contracting-out for Defined Contribution Pension Schemes\) \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/1245\)](#), regs. 1(2), **10(3)(i)**

Notice under section 44(2) of the 1993 Act

11.—^{F14}(a) A notice under section 44(2) of the 1993 Act (cancellation of a notice given under section 44(1)) shall be given in writing and in such form as the Secretary of State may in his discretion accept.

(b) The date specified in a notice under section 44(2) of the 1993 Act shall, subject to paragraph (3), be 6th April in the tax year in which the Secretary of State receives the notice or 6th April in the next tax year.

(c) Where notice under section 44(2) of the 1993 Act is given by the earner and not by the trustees or managers of the scheme the date shall be at least a year later than the date specified in the notice given under section 44(1) of that Act.]

F14 Reg. 11 revoked (E.W.S.) (6.4.2012) by [The Pensions Act 2007 \(Abolition of Contracting-out for Defined Contribution Pension Schemes\) \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/1245\)](#), regs. 1(2), **10(3)(j)**

Circumstances in which minimum contributions are not to be paid

12.—(1) Minimum contributions shall not be paid in respect of an earner for the tax year or any part of the tax year in which that earner—

- (a) reaches pensionable age; or
- (b) dies and in which he would have reached pensionable age.

^{F15}(1A) Subject to paragraph (2), where the earner is no longer a member of the earner's chosen scheme, minimum contributions in respect of that earner shall be paid—

- (a) to the trustees or managers of the earner's chosen scheme, if the earner has become a member of another scheme, and the earner's chosen scheme is able to transfer the payment to that other scheme,
- (b) to the trustees or managers of another scheme of which the earner is a member, if known to HMRC , or
- (c) in all other circumstances, to the earner.]

(2) Where effect has been given to the earner's protected rights under section 28 of the 1993 Act ^{M4}(ways of giving effect to protected rights), ^{F16}as it had effect prior to the abolition date] minimum contributions shall not, except as provided by paragraphs (3) to (9) be paid in respect of the period during which the scheme was the earner's chosen scheme.

(3) Where effect has been given to the earner's protected rights by the making of a transfer payment to another appropriate scheme which has become the earner's chosen scheme or a money purchase contracted-out scheme, the minimum contributions shall be paid to the trustees or managers of that scheme ^{F17}, except where the earner is no longer a member of that scheme, in which case the minimum contributions shall instead be paid to the earner].

(4) Where effect has been given to the earner's protected rights by the making of a transfer payment to a salary-related scheme or an overseas scheme and the Secretary of State becomes aware, as a consequence of evidence in respect of the earner's age being brought to his attention, that an additional amount of minimum contributions would have been payable had he been aware of that evidence, that additional amount of minimum contributions shall be paid to the trustees or managers of that scheme ^{F18}, except where the earner is no longer a member of that scheme, in which case the additional amount of minimum contributions shall instead be paid to the earner].

(5) Where effect has been given to the earner's protected rights by the purchase of an annuity or by the provision by the scheme of a pension, and the amount of the minimum contributions in question

is at least 10 times as great as the lower earnings limit for the tax year in which the Secretary of State becomes aware that minimum contributions are payable or would be payable, but for paragraph (2), those minimum contributions shall be paid (in the case of an annuity) to the insurance company from which the annuity has been purchased or (in the case of a pension) to the trustees or managers of the scheme.

(6) Where effect has been given to the earner's protected rights by the purchase of an annuity or by the provision by the scheme of a pension and—

- (a) the circumstances in paragraph (5) do not exist; and
- (b) minimum contributions are payable for the tax year or part of the tax year in which the earner died,

those minimum contributions shall be paid to the earner's [^{F19}widow, widower or surviving civil partner], or if the earner died unmarried, [^{F20}and was not a civil partner at the time of his or her death] they may at the Secretary of State's discretion be paid to any person.

(7) Where effect has been given to the earner's protected rights by the purchase of an annuity or by provision by the scheme of a pension and—

- (a) the circumstances in paragraph (5) do not exist; and
- (b) the Secretary of State becomes aware, as a consequence of evidence in respect of the earner's age being brought to his attention, that an additional amount of minimum contributions would have been payable had he been aware of that evidence,

that additional amount of minimum contributions shall be payable for any tax year before or part of a tax year before effect has been given to protected rights to the earner or the earner's [^{F19}widow, widower or surviving civil partner], or if the earner died unmarried, [^{F20}and was not a civil partner at the time of his or her death] they may at the Secretary of State's discretion be paid to any person.

(8) Where effect has been given to the earner's protected rights by the provision of a lump sum, minimum contributions shall be payable to the earner or the earner's [^{F19}widow, widower or surviving civil partner], or if the earner died unmarried, [^{F20}and was not a civil partner at the time of his or her death] they may at the Secretary of State's discretion be paid to any person.

(9) Where effect has been given to the earner's protected rights by the making of payments under an interim arrangement, minimum contributions shall continue to be payable to the trustees or managers of the earner's chosen scheme.

- F15** Reg. 12(1A) inserted (6.4.2012) by [The Pensions Act 2008 \(Abolition of Protected Rights\) \(Consequential Amendments\) Order 2011 \(S.I. 2011/1246\)](#), arts. 1(2)(a), **17(2)(a)**
- F16** Words in reg. 12(2) inserted (6.4.2012) by [The Pensions Act 2008 \(Abolition of Protected Rights\) \(Consequential Amendments\) Order 2011 \(S.I. 2011/1246\)](#), arts. 1(2)(a), **17(2)(b)**
- F17** Words in reg. 12(3) added (6.4.2012) by [The Pensions Act 2008 \(Abolition of Protected Rights\) \(Consequential Amendments\) Order 2011 \(S.I. 2011/1246\)](#), arts. 1(2)(a), **17(2)(c)**
- F18** Words in reg. 12(4) added (6.4.2012) by [The Pensions Act 2008 \(Abolition of Protected Rights\) \(Consequential Amendments\) Order 2011 \(S.I. 2011/1246\)](#), arts. 1(2)(a), **17(2)(d)**
- F19** Words in reg. 12(6)(7)(8) substituted (5.12.2005) by [Civil Partnership \(Contracted-out Occupational and Appropriate Personal Pension Schemes\) \(Surviving Civil Partners\) Order 2005 \(S.I. 2005/2050\)](#), art. 1(3), **Sch. 2 para. 37(a)**
- F20** Words in reg. 12(6)(7)(8) substituted (5.12.2005) by [The Occupational and Personal Pension Schemes \(Civil Partnership\) \(Miscellaneous Amendments\) Regulations 2005 \(S.I. 2005/3164\)](#), regs. 1(1), **3**

Marginal Citations

- M4** Section 28 was amended by section 142 and 146(2) of the Pensions Act 1995.

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Manner of payment of minimum contributions

13. Minimum contributions shall be paid—

- (a) by automated credit transfer into a bank or building society account which relates to the relevant scheme and which accepts payments made by automated credit transfer; or
- (b) in such other manner as the Secretary of State may in his discretion approve.

Allocation of minimum contributions

14. ^[F21]A personal pension scheme can be an appropriate scheme only if the rules of the scheme provide that any minimum contributions falling to be applied so as to provide benefits in respect of a member are to be so applied from the date on which payment is made by the Secretary of State in accordance with regulation 13 and that such minimum contributions are to be allocated to that member's account within three months of that date.]

F21 Reg. 14 revoked (E.W.S.) (6.4.2012) by [The Pensions Act 2007 \(Abolition of Contracting-out for Defined Contribution Pension Schemes\) \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/1245\)](#), regs. 1(2), **10(3)(k)**

Calculation or estimation of earnings

15.—(1) In relation to any tax year, the earnings of an earner shall be calculated or estimated, for the purposes of section 45(1) of the 1993 Act, on the basis mentioned in this regulation.

(2) In paragraph (3)—

“eligible tax week” means any tax week in any part of which the earner in question is at least 16 years of age and in no part of which he is over pensionable age; and

“ineligible tax week” means any tax week which is not an eligible tax week.

(3) In relation to any eligible tax week in a tax year the earnings of an earner shall be taken to be the amount calculated or estimated in accordance with paragraph (4) divided by the number of eligible tax weeks in that tax year, and in relation to any ineligible tax week they shall be taken to be nil.

(4) The formula to be applied shall be the formula set out in paragraph (5)(a) or, if it produces a smaller value for X, the formula set out in paragraph (5)(b), so however, that if the formula set out in paragraph (5)(a) produces a negative value for X, or if the value of P is nil, the value of X shall be taken to be nil.

(5) The formulae mentioned in paragraph (4) are—

(a)

$$X = P + R - S - 52L$$

; and

(b)

$$X = 53U - 52L.$$

(6) In paragraph (7)—

- (a) "primary Class 1 contributions" does not include contributions which the earner, being a married woman or widow, is liable to make at a reduced rate in accordance with an election which she has made and which is still operative; and
 - (b) the reference to contributions as having been paid includes the case of contributions which are treated as having been paid under regulation 39 of the Social Security (Contributions) Regulations 1979 ^{M5} but does not include the case of contributions which are treated as not paid under regulation 38(1) and (2)(a) of those Regulations.
- (7) In this regulation—
- (a) L is the lower earnings limit for the tax year in question;
 - (b) P is the total earnings, in so far as the earnings for each week did not exceed U, paid to or for the benefit of the earner in relation to the tax year in question, in relation to which primary Class 1 contributions have been paid with respect to employments that are not contracted-out;
 - (c) R is the total earnings, in so far as the earnings for each week did not exceed U, paid to or for the benefit of the earner in relation to the tax year in question, in relation to which primary Class 1 contributions have been paid with respect to employments that are contracted-out;
 - (d) S is the total earnings, in so far as the earnings for each week equalled or exceeded L but did not exceed U, paid to or for the benefit of the earner in relation to the tax year in question, in relation to which primary Class 1 contributions have been paid with respect to employments that are contracted-out; and
 - (e) U is the upper [^{F22}accrual point] for the tax year in question.

F22 Words in reg. 15(7)(e) substituted (6.4.2009) by [Occupational, Personal and Stakeholder Pensions \(Miscellaneous Amendments\) Regulations 2009 \(S.I. 2009/615\)](#), regs. 1(2), **10(2)**

Marginal Citations

M5 [S.I. 1979/591](#); relevant amendments are [S.I. 1984/77](#), 1987/413 and 2111, 1992/669, 1993/2094, 1994/1553 and 1995/829.

Calculation of minimum contributions

16.—(1) For the purposes of determining the appropriate age related percentage for the purposes of section 45(1) of the 1993 Act ^{M6}, the Secretary of State may require an earner to send documentary evidence of his date of birth.

(2) For the purposes of section 45B(2) of the 1993 Act ^{M7} (information held as to the age to be disclosed by the Secretary of State to trustees or managers of an appropriate personal pension scheme and such other persons as may be prescribed) the prescribed person shall be the person who is responsible for administering the scheme.

Marginal Citations

M6 Section 45(1) is amended by section 138(2) of the Pensions Act 1995.

M7 Section 45B was inserted by section 139 of the Pensions Act 1995.

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Adjustment of amount of minimum contributions

17. Where the amount of minimum contributions payable in respect of an earner in relation to a tax year would otherwise not be a whole number of pence, it shall be adjusted to the nearest whole number of pence, and any amount of half penny or less shall be disregarded.

Cancellation of membership of interest-bearing account-funded appropriate personal pension schemes

^{F23}18.

F23 Reg. 18 omitted (1.10.2008) by virtue of [Personal and Occupational Pension Schemes \(Protected Rights\) Regulations 2008 \(S.I. 2008/1979\)](#), regs. 1, **3(7)**

Transitional provision in respect of earnings

19. For the purposes of paying minimum contributions in respect of an employed earner for any period up to and including the tax year 1996—1997, regulations 16 and 17 of the Personal Pension Schemes (Appropriate Schemes) Regulations 1988^{M8} shall continue to have effect as if regulation 15 of these Regulations had not come into force.

Marginal Citations
M8 [S.I. 1988/137](#).

Revocations

20. The regulations listed in column 1 of Schedule 3 to these Regulations are revoked to the extent specified in column 3 of that Schedule.

Signed by authority of the Secretary of State for Social Security

Oliver Heald
Parliamentary Under-Secretary of State,
Department of Social Security.

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SCHEDULE 1

Regulation 2(2)(b)

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^{F24}SCHEDULE 2

Regulation 18(2)(a)

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F24 Sch. 1 Sch. 2 omitted (1.10.2008) by virtue of [Personal and Occupational Pension Schemes \(Protected Rights\) Regulations 2008 \(S.I. 2008/1979\)](#), regs. 1, **3(8)**

SCHEDULE 3

Regulation 20

REVOCATIONS

Regulations Revoked	References	Extent of Revocation
The Personal Pension Schemes (Appropriate Schemes) Regulations 1988	1988/137	The whole of the Regulations.
The Personal Pension Schemes (Miscellaneous Amendments) Regulations 1988	1988/830	Regulation 3.
The Personal and Occupational Pension Schemes (Miscellaneous Amendments) Regulations 1989	1989/500	Regulation 4.
The Personal and Occupational Pension Schemes (Miscellaneous Amendments) Regulations 1990	1990/1141	Regulation 8.
The Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations 1993	1993/519	Regulation 5.
The Occupational and Personal Pension Schemes (Consequential Amendments) Regulations 1994	1994/1062	Regulation 2 and Schedule 2 paragraph 21 in so far as it relates to the Personal Pension Schemes (Appropriate Schemes) Regulations 1988.
The Occupational and Personal Pensions (Miscellaneous Amendments) Regulations 1995	1995/35	Regulation 7.

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The Personal Pension Schemes (Appropriate Schemes) Amendment Regulations 1995	1995/1612	Regulation 2.
The Personal Pension Schemes (Appropriate Schemes and Disclosure of Information) (Miscellaneous Amendments) Regulations 1996	1996/1435	Regulation 2.
The Personal and Occupational Occupational Pension Schemes (Miscellaneous Amendments) Regulations 1996	1996/776	Regulation 6.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Personal Pension Schemes (Appropriate Schemes) Regulations 1997 (“the Regulations”) consolidate the Personal Pension Schemes (Appropriate Schemes) Regulations 1988 with amendments and in addition make minor and drafting amendments. The Regulations also make provisions which are consequential upon Part III of the Pensions Act 1995 (c.26) coming into force.

The Regulations prescribe the form of schemes which may be appropriate schemes (regulation 2 and Schedule 1); persons and bodies which may establish appropriate schemes (regulation 3); the requirements in respect of an application and issue of an appropriate scheme certificate (regulations 4 and 5); the requirement to give the Secretary of State information as requested in respect of the application for cancellation or variation or the surrender of an appropriate scheme certificate (regulations 6, 7, 8 and 9); the requirements in respect of notices under section 44 of the Pension Schemes Act 1993 (regulations 10 and 11); circumstances in which minimum contributions are not to be paid, manner of payment and allocation of minimum contributions (regulations 12, 13 and 14); calculation and estimation of earnings (regulation 15); calculation and adjustment of minimum contributions (regulations 16 and 17); cancellation of membership of interest-bearing account-funded appropriate personal pension schemes (regulation 18 and Schedule 2).

Regulations 19 and 20 and Schedule 3 provide for savings and revocations.

An assessment of the compliance cost of measures arising from the Pensions Act 1995, including regulations, has been placed in the libraries of both Houses of Parliament. Copies can be obtained from the Department of Social Security, 11th Floor, Adelphi, 1—11 John Adam Street, London WC2N 6HT.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Personal Pension Schemes (Appropriate Schemes) Regulations 1997. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- reg.8 amended by [S.I. 2000/2975 reg 4](#)
- reg.10(2) amended by [S.I. 1997/3038 reg.12](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Act cert. functs. trans. (pt.prosp.) by [1999 c. 2 s.1\(2\)Sch.2](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 8(2)(c) and word inserted by [S.I. 2000/2975 reg. 4\(a\)](#)
- reg. 8(2A) inserted by [S.I. 2000/2975 reg. 4\(b\)](#)