
STATUTORY INSTRUMENTS

2000 No. 2691

The Pension Sharing (Consequential and Miscellaneous Amendments) Regulations 2000

Amendment of the Occupational Pension Schemes (Minimum Funding Requirement and Actuarial Valuations) Regulations 1996

4.—(1) The Occupational Pension Schemes (Minimum Funding Requirement and Actuarial Valuations) Regulations 1996 shall be amended in accordance with this regulation.

(2) In regulation 2 (interpretation), in paragraph (1) after the definition of “minimum funding valuation” insert the following definitions—

““normal benefit age” has the meaning given by section 101B of the Pension Schemes Act 1993⁽¹⁾;

“pension credit benefit” has the meaning given by section 101B of the Pension Schemes Act 1993;

“pension credit benefit member”, in relation to an occupational pension scheme, means a person who has become entitled, by virtue of having pension credit rights which have come into payment, to the present payment of pension or other benefits;

“pension credit member” has the meaning given by section 124(1) of the Pensions Act 1995;

“pension credit rights” has the meaning given by section 124(1) of the Pensions Act 1995⁽²⁾”.

(3) In regulation 3 (determination, valuation and verification of assets and liabilities: general)—

(a) in sub-paragraph (c)(i) of paragraph (2) after “pensioner members” insert “or pension credit benefit members”;

(b) in sub-paragraph (c)(ii) of that paragraph—

(i) for “and deferred members” substitute “, deferred members and pension credit members”; and

(ii) after “accrued rights” insert “and any pension credit rights”;

(c) in paragraph (3) after “accrued rights” insert “and any pension credit rights”.

(4) In regulation 7 (determination and valuation of liabilities)—

(a) in paragraph (3) after “pensioner members” insert “, or who are pension credit benefit members,”;

(b) in paragraph (4) after “pensioner members” at each place where those words appear, insert “or pension credit benefit members”;

(c) in paragraph (5)(b) after “pensioner members” insert “or pension credit benefit members”;

(d) in paragraph (7) after “pensioner members” insert “, or who are not pension credit benefit members,”;

(e) in paragraph (8)—

⁽¹⁾ Section 101B is inserted by section 37 of the Welfare Reform and Pensions Act 1999.

⁽²⁾ 1995 c. 26. The definition of “pension credit member” is inserted by paragraph 61(3) of Schedule 12 to the Welfare Reform and Pensions Act 1999.

- (i) after “deferred members” where those words first appear, insert “or pension credit members”;
- (ii) before “on the relevant date” insert “, or who are pension credit members,”;
- (f) for paragraphs (9) and (10) substitute—
 - “(9) For the purposes of this regulation, a scheme is only to be taken to have a gilts-matching policy for liabilities in respect of pensioner members, pension credit benefit members, deferred members or pension credit members at any time if the last statement in respect of the scheme under section 35 before that time states that the trustees' policy is to meet all liabilities in respect of pensioner members, pension credit benefit members or, as the case may be, deferred members or pension credit members from investments in gilt-edged securities.
 - (10) In this regulation “the switch-over period”, in relation to a member, means the period of 10 years ending with the age at which the member—
 - (a) will first become entitled under the provisions of the scheme to receive a full pension on retirement of an amount determined without a reduction to take account of its payment before a later age (but disregarding any entitlement to pension on retirement in the event of illness, incapacity or redundancy); or
 - (b) will reach normal benefit age.”.
- (5) In regulation 8 (further provisions as to valuation: methodology, assumptions etc.), in paragraph (2)(a)(i) after “pensioner members” insert “or who are pension credit benefit members”.