

2000 No. 749

PENSIONS

The Personal and Occupational Pension Schemes (Incentive Payments) Amendment Regulations 2000

Made - - - - - *14th March 2000*

Laid before Parliament *16th March 2000*

Coming into force - - - *6th April 2000*

The Secretary of State for Social Security, in exercise of powers conferred by sections 7(1) and 84(1) of the Social Security Act 1986(a), and by Article 9(1) and (10) of the Social Security (Northern Ireland) Order 1986(b) and now vested in him(c), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Personal and Occupational Pension Schemes (Incentive Payments) Amendment Regulations 2000 and shall come into force on 6th April 2000.

Amendment of Regulations

2.—(1) In regulation 3 of the Personal and Occupational Pension Schemes (Incentive Payments) Regulations 1987(d) (cases in which payments under section 7 of the Social Security Act 1986 are not to be made, or are to be made to prescribed persons)—

- (a) in paragraph (1) for the words “(3) or (4)” there shall be substituted the words “(3), (4) or (4A)”;
- (b) after paragraph (4) there shall be inserted the following paragraph:—

“(4A) This paragraph applies to any case where a claim for the payment under section 7 of the Act has not been made in accordance with regulation 4 below before 6th April 2001.”

(2) In regulation 3 of the Personal and Occupational Pension Schemes (Incentive Payments) Regulations (Northern Ireland) 1987(e) (cases in which payments under Article 9 of the Social Security (Northern Ireland) Order 1986 are not to be made, or are to be made to prescribed persons)—

(a) 1986 c. 50. Section 7 was repealed by Part I of Schedule 5 to the Pension Schemes Act 1993 (c. 48) subject to the saving in paragraph 22 of Schedule 6 to that Act, and amended by paragraph 1 of Schedule 1 to the Social Security Contributions (Transfer of Functions, etc.) Act 1992 (c. 2); that Schedule 5 also repealed certain definitions in section 84(1), which is cited for the definitions of “prescribed” and “regulations”.

(b) S.I. 1986/1888 (N.I. 18). Article 9 was repealed by Part I of Schedule 4 to the Pension Schemes (Northern Ireland) Act 1993 (c. 49) subject to the saving in paragraph 21 of Schedule 5 to that Act; paragraph (1) was amended, and paragraph (10) (which is cited for the definitions of “prescribed” and “regulations”) was inserted, by paragraph 1 of Schedule 1 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671) (“the 1999 Order”).

(c) See Article 3 of the Transfer of Functions (Health and Social Security) Order 1988 (S.I. 1988/1843), and Article 3(1) of the 1999 Order.

(d) S.I. 1987/1115; regulation 3 was amended by S.I. 1988/2237 and 1990/1142.

(e) S.R. 1987 No. 293; regulation 3 was amended by S.R. 1988 No. 450 and S.R. 1990 No. 203.

(a) in paragraph (1) for the words “(3) or (4)” there shall be substituted the words “(3), (4) or (4A)”;

(b) after paragraph (4) there shall be inserted the following paragraph:—

“(4A) This paragraph applies to any case where a claim for the payment under Article 9 has not been made in accordance with regulation 4 before 6th April 2001.”.

Signed by authority of the Secretary of State for Social Security.

Jeff Rooker
Minister of State,
Department of Social Security

14th March 2000

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Personal and Occupational Pension Schemes (Incentive Payments) Regulations 1987 (“the Regulations”) which make provision in connection with, among other things, the payments made under section 7 of the Social Security Act 1986 to the trustees or managers of occupational pension schemes which became contracted-out between 1986 and 1993. They also amend the Personal and Occupational Pension Schemes (Incentive Payments) Regulations (Northern Ireland) 1987 (“the Northern Ireland Regulations”) which make provision in connection with the equivalent payments under Article 9 of the Social Security (Northern Ireland) Order 1986. Functions exercisable by the Secretary of State under the Regulations, or by the former Department of Health and Social Services for Northern Ireland under the Northern Ireland Regulations, were transferred to the Commissioners of Inland Revenue with effect from 1st April 1999.

Regulation 3 of the Regulations and regulation 3 of the Northern Ireland Regulations are amended so as to provide that a payment under that section 7 or, as the case may be, that Article 9 is not to be made unless a claim for the payment has been made before 6th April 2001 (regulation 2).

These Regulations impose no new costs on business.

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