
STATUTORY INSTRUMENTS

2006 No. 572

**The Taxation of Pension Schemes
(Transitional Provisions) Order 2006**

Transfer of crystallised rights with enhanced protection

36.—(1) In the case of an individual who meets the conditions in paragraph (2), paragraph 15 of Schedule 36 (definition of the “relevant crystallised amount”) is modified in accordance with paragraph (3).

(2) The conditions are—

Condition A

The individual is one to whom paragraph 12 of Schedule 36 applies.

Condition B

The individual is in receipt of a scheme pension.

Condition C

The pension scheme of which the individual is a member makes a recognised transfer of sums or assets in connection with the winding up of the pension scheme.

(3) Paragraph 15 is modified as follows—

(a) at the end of sub-paragraph (1) add—

“This paragraph is subject to sub-paragraph (1A).”; and

(b) after that sub-paragraph insert—

“(1A) If the relevant event is a transfer of sums or assets representing crystallised rights under a scheme pension and made in connection with the winding-up of the pension scheme under which the scheme pension is paid, the relevant crystallised amount shall be nil.”.