
STATUTORY INSTRUMENTS

2011 No. 2696

The Employment Income Provided Through Third Parties (Excluded Relevant Steps) Regulations 2011

Disapplication of Chapter 2 of Part 7A: relevant steps arising or deriving from a payment from a registered pension scheme that has been subject to the unauthorised payments charge

4.—(1) Chapter 2 of Part 7A does not apply by reason of a relevant step if the subject of the relevant step is a sum of money or asset which has (wholly or partly) arisen or derived (directly or indirectly) from a payment—

- (a) made by a registered pension scheme,
- (b) that was subject to the unauthorised payments charge.

(2) Paragraph (3) applies if the sum of money or asset which is the subject of the relevant step only partly arises or derives from a payment mentioned in paragraph (1).

(3) The relevant step is to be treated for the purposes of Part 7A as being two separate relevant steps—

- (a) one in relation to the sum of money or asset so far as it arises or derives from a payment mentioned in paragraph (1), and
- (b) one in relation to the sum of money or asset so far as it does not arise or derive from a payment mentioned in paragraph (1),

and paragraph (1) applies only in relation to the separate relevant step mentioned in subparagraph (a).

(4) In order to give effect to paragraph (3), the sum of money or asset which is the subject of the relevant step is to be apportioned between the two separate relevant steps on a just and reasonable basis.

(5) In this regulation, “the unauthorised payments charge” means the charge under section 208 of FA 2004.