

SCHEDULE 3

Modifying provisions and amendments

PART 1

Modification of contracting-out provisions

Application of this Part

1. This Part applies where—
 - (a) an election is made under section 11 (elections as to employments covered by contracting-out certificates) of the 1993 Act⁽¹⁾ in relation to persons who become members of this scheme on or after 1st April 2015 and before 6th April 2016 (whether or not any of those persons are members of an existing scheme); and
 - (b) this scheme satisfies the requirements of section 9 (requirements for certification of schemes) of the 1993 Act⁽²⁾.

Contracting-out

- 2.—(1) Part 2 of the Occupational Pension Schemes (Contracting-out) Regulations 1996⁽³⁾ (certification of employments) is modified as follows in its application to this scheme.
 - (2) The requirements in regulation 2(1)(a) (making of elections for the issue of contracting-out certificates) and regulations 3 (notices by employers of intended election) to 5 (time for making an election) do not apply.
 - (3) In regulation 6 (information to be included in an election)—
 - (a) paragraph (1) is to be read as though, for sub-paragraphs (a) to (f), there were substituted—
 - “(a) the name by which this scheme is to be known;
 - (b) the name by which the existing schemes listed in paragraphs 2 to 15 of Schedule 5 to the Act are known; and
 - (c) any other information necessary to enable the Commissioners of Inland Revenue to identify those existing schemes.”; and
 - (b) paragraphs (2) and (3) do not apply.

(1) Section 11 was amended by section 1(1) of, and Schedule 1 to, the Social Security Contributions (Transfer of Functions etc.) Act 1999 and by section 1(2)(a) of the Employment Rights (Dispute Resolution) Act 1998 (c. 8). It is prospectively repealed by paragraph 9 of Schedule 13 to the Pensions Act 2014 (c. 19).

(2) Section 9 was amended by sections 136(3) and 151 of, and Schedule 5 to, the Pensions Act 1995 (c. 26), by section 1(1) of, and Schedule 1 to, the Social Security Contributions (Transfer of Functions etc.) Act 1999 (c. 2), by section 283 of the Pensions Act 2004 (c. 35), by sections 14(4), 15(3) and 27(2) of, and Schedules 4 and 7 to, the Pensions Act 2007 (c. 22) and by S.I. 2006/745. It is prospectively repealed by paragraph 9 of Schedule 13 to the Pensions Act 2014 (c. 19).

(3) S.I. 1996/1172. Part 2 was amended by section 1(2) of, and Schedule 2 to, the Social Security Contributions (Transfer of Functions etc.) Act 1999 (c. 2), by section 1(2)(a) of the Employment Rights (Dispute Resolution) Act 1998 (c. 8) and by S.I. 1997/786, 2002/681, 2005/3377, 2011/1245, 2011/1246, and 2013/2734.