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 S T A T U T O R Y I N S T R U M E N T S
 

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1986 No. 2171

## PENSIONS

**The Occupational Pension Schemes (Miscellaneous  
Amendments) Regulations 1986**

<i>Made</i>	- - - - -	<i>9th December 1986</i>
<i>Laid before Parliament</i>		<i>15th December 1986</i>
<i>Coming into Operation</i>		<i>5th January 1987</i>

The Secretary of State for Social Services, in exercise of the powers conferred upon him by section 99(1) and (3) of, and paragraphs 9(2), 20 and 21 of Schedule 16 to, the Social Security Act 1973(a), section 168(1) of, and Schedule 20 to, the Social Security Act 1975(b), and section 52C of, and paragraph 13 of Schedule 1A to, the Social Security Pensions Act 1975(c), and of all other powers enabling him in that behalf, after considering the report of the Occupational Pensions Board on the proposals submitted to them(d), hereby makes the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the Occupational Pension Schemes (Miscellaneous Amendments) Regulations 1986, and shall come into operation on 5th January 1987.

*Amendment of the Occupational Pension Schemes (Preservation of Benefit) Regulations 1984*

2.—(1) The Occupational Pension Schemes (Preservation of Benefit) Regulations 1984(e) shall be amended in accordance with the provisions of this regulation.

(2) In regulation 12(1), for the words “to the same member (or his wife, widow or dependant) as the one to whom (or to whose wife, widow or dependant)” there shall be substituted the words “to or in respect of the same member as the one to or in respect of whom”.

(a) 1973 c. 38. See definition of “prescribed” in section 99(1) and explanation of the meaning of “regulations” in section 99(3).

(b) 1975 c. 14. See definitions of “prescribed” and “regulations” in Schedule 20. Section 168(1) applies, by virtue of section 66(2) of the Social Security Pensions Act 1975 (c. 60), to the exercise of certain powers conferred by that Act.

(c) 1975 c. 60; section 52C and Schedule 1A were inserted by section 2 of, and Schedule 1 to, the Social Security Act 1985 (c. 53), and section 52C and paragraph 13 of Schedule 1A were amended by paragraphs 26 and 30(c) of Schedule 10 to the Social Security Act 1986 (c. 50).

(d) See section 68(1) and (2) of the Social Security Act 1973 and section 61(2) and (3) of the Social Security Pensions Act 1975; sections 68(1) and 61(2) are amended in ways not relevant to these regulations.

(e) S.I. 1984/614, amended by S.I. 1985/1926.

- (3) Regulations 21(3)(a) and 27(b) are hereby revoked.

*Amendment of the Occupational Pension Schemes (Discharge of Liability) Regulations 1985*

3.—(1) The Occupational Pension Schemes (Discharge of Liability) Regulations 1985(a) shall be amended in accordance with the provisions of this regulation.

(2) In paragraph (b) of regulation 2, after the words “become secured” there shall be inserted the words “, or are replaced by benefits which are secured,”.

(3) In paragraph (a) of regulation 4, the words “and, if appropriate, dependants of his,”, in the first place where they occur, shall be omitted, and for the word “them” there shall be substituted the words “dependants of his, or to the trustees of such a trust”.

(4) For paragraph (c) of regulation 4 there shall be substituted the following paragraph:—

“(c) that, if the policy is taken out or the contract is entered into on or after 1st January 1986, it contains or is endorsed with either—

- (i) a statement of the total length of the period or periods of service which gave rise to the benefits secured by the policy or contract, or
- (ii) where that total length exceeds 5 years, a statement to that effect.”

(5) The Schedule set out in the Schedule to these regulations shall be substituted for the Schedule to those regulations.

*Amendment of the Occupational Pension Schemes (Transfer Values) Regulations 1985*

4.—(1) The Occupational Pension Schemes (Transfer Values) Regulations 1985(b) shall be amended in accordance with the provisions of this regulation.

(2) In regulation 2(1)(b), there shall be inserted, at the end, the words “or otherwise satisfies requirements of the Inland Revenue”.

(3) In regulation 2(2)(b), there shall be substituted for the words “is provided under a contract which is of the kind described in section 20(2)(g) of the Finance Act 1970(c)”, the words “satisfies requirements of the Inland Revenue”.

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

*John Major,*  
Minister of State,  
Department of Health and Social Services.

9th December 1986.

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(a) S.I. 1985/1929.

(b) S.I. 1985/1931, to which there is an amendment not relevant to these regulations.

(c) 1970 c. 24; paragraph (g) was inserted into section 20(2) by the Finance Act 1981 (c. 35), section 32.

Regulation 3(5)

SCHEDULE

Schedule to be substituted for the Schedule to the Occupational Pension Schemes (Discharge of Liability) Regulations 1985

SCHEDULE

Regulations 5 and 6

SOCIAL SECURITY PENSIONS ACT 1975, SECTION 52C(5)

SOCIAL SECURITY ACT 1985, SCHEDULE 1

CONSENT TO ARRANGEMENT FOR SECURING BENEFITS

To the trustees/managers\* of the ..... †

Full name of earner/beneficiary\*:

Present address of earner/beneficiary\*:

Benefits to be provided by the proposed policy/contract\*:

Name of insurer with whom benefits are to be secured:

I consent to the securing, under an insurance policy taken out/annuity contract entered into\* with the insurer named above, of the benefits specified above in substitution for benefits which would otherwise have fallen to be provided for or in respect of me under the pension scheme named above.

Signed .....

Date .....

\*delete whichever is inapplicable.

†insert name of pension scheme.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These regulations make miscellaneous textual amendments of the Occupational Pension Schemes (Preservation of Benefit) Regulations 1984, the Occupational Pension Schemes (Discharge of Liability) Regulations 1985 and the Occupational Pension Schemes (Transfer Values) Regulations 1985.

The report of the Occupational Pensions Board on the draft of these regulations, dated 22nd October 1986, is contained in Command Paper (Cm. 47) published by Her Majesty's Stationery Office.

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