

## SCHEDULE 1

### MISCELLANEOUS AMENDMENTS

#### **The Protected Rights (Transfer Payment) Regulations 1996**

6.—(1) The Protected Rights (Transfer Payment) Regulations 1996 <sup>M1</sup> shall have effect with the following amendments.

(2) In regulation 1(2)—

(a) at the end of the definition of “overseas scheme” add the words “ by virtue of section 52(1) of that Act ”; and

(b) for the definition of “section 9(2B) rights” substitute—

““section 9(2B) rights” are—

(a) rights to the payment of pensions and accrued rights to pensions (other than rights attributable to voluntary contributions) under a scheme contracted-out by virtue of section 9(2B) of the 1993 Act, so far as attributable to an earner’s service in contracted-out employment on or after the principal appointed day; and

(b) where a transfer payment has been made to such a scheme, any rights arising under the scheme as a consequence of that payment which are derived directly or indirectly from—

(i) such rights as are referred to in sub-paragraph (a) under another scheme contracted-out by virtue of section 9(2B) of that Act; or

(ii) protected rights under another occupational pension scheme or under a personal pension scheme attributable to payments or contributions in respect of contracted-out employment on or after the principal appointed day;”.

(3) At the end of regulation 4(e) add the words “ on or after the principal appointed day ”.

#### **Marginal Citations**

M1 S.I. 1996/1461.

**Changes to legislation:**

There are currently no known outstanding effects for the The Personal and Occupational Pension Schemes (Miscellaneous Amendments) Regulations 1997, Paragraph 6.