
STATUTORY INSTRUMENTS

2000 No. 1403

The Stakeholder Pension Schemes Regulations 2000

PART II

CONDITIONS APPLYING TO STAKEHOLDER PENSION SCHEMES

Expenses, commission etc.—principles

13.—(1) Except to the extent permitted by regulation 14 [^{F1}or 14B]—

- (a) no payment made to a stakeholder pension scheme by or on behalf of any member;
- (b) no income or capital gain arising from the investment of such a payment;
- (c) no amount credited to a member's account in respect of a credit within the meaning of section 29 (pension sharing: creation of pension debits and credits); and
- (d) no amount representing the value of any rights of a member under the scheme,

shall be used in any way which does not result in the provision of benefits for or in respect of members.

(2) Paragraph (1) does not apply—

- (a) to the extent that section 31 (pension sharing: pension debits), or any enactment in force in Northern Ireland corresponding to that section, applies to reduce the benefits or future benefits to which a member may be entitled under the scheme; or
- (b) to prevent the trustees or manager of a scheme from complying with [^{F2}an order of the court]

[^{F3}(2A) Nothing in paragraph (1) shall be taken to prevent that which is permitted by or under any of the provisions mentioned in paragraph (4).]

(3) In this regulation and in [^{F4}regulations 14 and 14B] below “member” includes “beneficiary”.

[^{F5}(4) The provisions referred to in paragraph (2A) are—

- ^{F6}(a)
- (b) section 159 of the 1993 Act (inalienability of guaranteed minimum pension and protected rights payments);
- (c) sections 91 to 94 of the 1995 Act and regulations under those sections (inalienability and forfeiture of occupational pensions); and
- (d) in the case of a pension scheme established under a trust which—
 - (i) is not an occupational pension scheme; but
 - (ii) is or has been registered under section 2;

sections 91, 92 and 94 of the 1995 Act and the Occupational Pension Schemes (Assignment, Forfeiture, Bankruptcy etc.) Regulations 1997 (inalienability and forfeiture of occupational pensions) as those sections and Regulations have effect by virtue of section 6(3) of, and Schedule 1 to, the Act and of regulation 32.]

[^{F7}(5) This regulation and regulations 14 to 14C do not apply in the circumstances set out in regulation 14D.]

Textual Amendments

- F1** Words in reg. 13(1) inserted (6.4.2005) by [The Stakeholder Pension Schemes \(Amendment\) Regulations 2005 \(S.I. 2005/577\)](#), regs. 1(1), **6(2)**
- F2** Words in reg. 13(2)(b) substituted (6.4.2005) by [The Stakeholder Pension Schemes \(Amendment\) Regulations 2005 \(S.I. 2005/577\)](#), regs. 1(1), **6(3)**
- F3** Reg. 13(2A) inserted (5.4.2001) by [The Stakeholder Pension Schemes \(Amendment\) \(No.2\) Regulations 2001 \(S.I. 2001/934\)](#), regs. 1(1), **9(2)**
- F4** Words in reg. 13(3) substituted (6.4.2005) by [The Stakeholder Pension Schemes \(Amendment\) Regulations 2005 \(S.I. 2005/577\)](#), regs. 1(1), **6(4)**
- F5** Reg. 13(4) inserted (5.4.2001) by [The Stakeholder Pension Schemes \(Amendment\) \(No.2\) Regulations 2001 \(S.I. 2001/934\)](#), regs. 1(1), **9(3)**
- F6** Reg. 13(4)(a) omitted (6.4.2012) by virtue of [The Pensions Act 2008 \(Abolition of Protected Rights\) \(Consequential Amendments\) Order 2011 \(S.I. 2011/1246\)](#), arts. 1(2)(a), **20(3)**
- F7** Reg. 13(5) inserted (6.4.2015) by [The Occupational Pension Schemes \(Charges and Governance\) Regulations 2015 \(S.I. 2015/879\)](#), regs. 1(2), **12(2)**

Changes to legislation:

There are currently no known outstanding effects for the The Stakeholder Pension Schemes Regulations 2000, Section 13.