
STATUTORY INSTRUMENTS

2010 No. 6

The Transfer Values (Disapplication) Regulations 2010

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Transfer Values (Disapplication) Regulations 2010 and shall come into force on 5th July 2010.

(2) In these Regulations—

“the Act” means the Pension Schemes Act 1993;

“incapacity” means physical or mental impairment which renders a member of the Scheme incapable of carrying on any occupation, where—

(a) that member provides evidence to the scheme administrator from a registered medical practitioner that the member is (and will continue to be) suffering from that physical or mental impairment; and

(b) that member certifies that they have in fact ceased to carry on any occupation;

“normal minimum pension age” has the meaning given in section 279(1) of the Finance Act 2004⁽¹⁾;

“the Scheme” means the pension scheme established by the Secretary of State under section 67(1) of the Pensions Act 2008;

“scheme administrator” has the same meaning as in section 270 of the Finance Act 2004;

“the transfer value provisions” means Chapter IV of Part IV (protection for early leavers) and Chapter II of Part IVA⁽²⁾ (requirements relating to pension credit benefit) of the Act; and

“the Trustee” means the trustee corporation⁽³⁾ established under section 75 of the Pensions Act 2008.

⁽¹⁾ 2004 c.12.

⁽²⁾ Part IVA was inserted by the Welfare Reform and Pensions Act 1999 (c.30), section 37.

⁽³⁾ The trustee corporation was named by article 2 of S.I. 2010/3.