
STATUTORY INSTRUMENTS

2013 No. 459

**The Occupational and Stakeholder Pension Schemes
(Miscellaneous Amendments) Regulations 2013**

Amendment of the Stakeholder Pension Schemes Regulations 2000

- 8.—**(1) The Stakeholder Pension Schemes Regulations 2000(1) are amended as follows.
- (2) The following provisions are revoked—
- (a) the definition of “the Income and Corporation Taxes Act” in regulation 1(3) (citation, commencement and interpretation);
 - (b) regulation 14(5)(h) (charges etc. – permitted reductions in members’ rights);
 - (c) regulation 22 (exemptions from employer access and consultation requirements);
 - (d) regulation 23 (definition of relevant employees);
 - (e) paragraph 2(k) of Schedule 3 (information for members).
- (3) For regulation 2(2) and (3) (manner of establishment) substitute—
- “(2) The manager of the scheme must be a person who is mentioned in section 154(1)(b) of the Finance Act 2004 (persons by whom registered pension scheme may be established).”.
- (4) In regulation 14(5) (charges etc. – permitted reductions in members’ rights)
- (a) at the end of sub-paragraph (f) add “and”;
 - (b) at the end of sub-paragraph (g) omit “, and”.
- (5) In regulation 24 (payroll deduction of contributions)(2)—
- (a) in paragraph (1) omit “make or”;
 - (b) in paragraph (2)—
 - (i) in each place where it occurs, for “make, vary or cease” substitute “vary”;
 - (ii) in sub-paragraph (b) omit “make or”;
 - (c) in paragraph (2)(c)(i) and paragraph (2B)(d)(i) omit “if that further request is made within 6 months of the employee requesting that the deductions cease”;
 - (d) in paragraph (2)(c)(ii) and paragraph (2B)(d)(ii) after the words “the employee may”, in each place where they occur, insert “be able to”;
 - (e) in paragraph (3)—
 - (i) at the end of sub-paragraph (a)(ii) omit “and”;
 - (ii) omit sub-paragraph (b);
 - (f) omit paragraph (4);
 - (g) after paragraph (5) insert—

(1) [S.I. 2000/1403](#).

(2) Regulation 24 was amended by [S.I. 2001/934](#).

“(5A) Where an employer has withdrawn their designation of a stakeholder pension scheme that has been designated by him for the purposes of section 3(2)(3) of the Act for reasons beyond their control, the employer must immediately cease deducting contributions from the employee’s remuneration and notify the employee in writing as soon as is practicable that designation of that scheme has been withdrawn and deduction of contributions has ceased.

(5B) Where an employer—

- (a) is notified that a stakeholder pension scheme that has been designated by the employer for the purposes of section 3(2) of the Act has commenced winding up; or
- (b) withdraws designation of a stakeholder pension scheme that has been designated by the employer for the purposes of section 3(2) of the Act for reasons beyond the employer’s control,

the employer need not comply with the requirement in section 3(5) of the Act.”(4);

- (h) in paragraph (6) for the words “(2), (2B) and (3)” substitute “(2) and (2B); and
- (i) in paragraph (7) omit the words “and in regulation 25”.

(3) Section 3(2) was omitted by section 87(5) of the Pensions Act 2008 (c. 30).

(4) Section 3(5) was amended by section 87 of the Pensions Act 2008 (c. 30).