
STATUTORY INSTRUMENTS

2016 No. 200

**The Pensions Act 2014 (Abolition of Contracting-out for Salary Related Pension Schemes)
(Consequential Amendments and Savings) Order 2016**

PART 3

Amendments coming into force on 6th April 2017

Amendment of the Occupational Pension Schemes (Transfer Values) Regulations 1996

29. In regulation 13 of the Occupational Pension Schemes (Transfer Values) Regulations 1996(1)—

- (a) that regulation becomes paragraph (1) of regulation 13;
- (b) for sub-paragraph (a)(ii)(2) of that paragraph substitute—
 - “(ii) the scheme ceased to be a contracted-out scheme in the 12 month period ending on the second abolition date, and the trustees of the scheme are seeking to reach an agreement with HMRC as to the scheme’s liabilities for guaranteed minimum pensions or section 9(2B) rights of members through the scheme reconciliation service but such agreement has not yet been reached;”;
- (c) after paragraph (1) insert—
 - “(2) In this regulation, “scheme reconciliation service” means the service set up by HMRC which allows schemes to compare the scheme’s records of members who have been contracted-out, and the value of members’ guaranteed minimum pensions, with HMRC’s records of the same, with a view to removing any errors in the scheme’s or HMRC’s records.”.

Amendment of the Pension Sharing (Implementation and Discharge of Liability) Regulations 2000

30.—(1) The Pension Sharing (Implementation and Discharge of Liability) Regulations 2000 are amended as follows.

- (2) In regulation 1(2)(3), in the appropriate places insert—
 - ““guaranteed minimum pension” has the meaning given in section 8(2) (meaning of “contracted-out employment” etc.) of the 1993 Act;”;
 - ““HMRC” means the Commissioners of Her Majesty’s Revenue and Customs;”;

(1) Regulation 13 is amended by [S.I. 2005/686](#) and [S.I. 2015/498](#).
(2) Sub-paragraph (ii) was substituted by article 7 of this instrument.
(3) Regulation 1(2) was amended by [S.I. 2000/2691](#), [S.I. 2003/1727](#) and [S.I. 2008/1050](#). The definition of “section 9(2B) rights” in regulation 1(2) is amended by article 16(2)(b) of this instrument.

““scheme reconciliation service” means the service set up by HMRC which allows schemes to compare the scheme’s records of members who have been contracted-out, and the value of members’ guaranteed minimum pensions, with HMRC’s records of the same, with a view to removing any errors in the scheme’s or HMRC’s records;”;

““the second abolition date” has the meaning given in section 181(1) (general interpretation) of the 1993 Act;”.

(3) In regulation 3(a), for sub-paragraph (ii)(4) substitute—

“(ii) the scheme ceased to be a contracted-out scheme in the 12 month period ending on the second abolition date, and the trustees or managers of the scheme are seeking to reach an agreement with HMRC as to the scheme’s liabilities for guaranteed minimum pensions or section 9(2B) rights of members through the scheme reconciliation service but such agreement has not yet been reached;”.

Amendment of the Pension Sharing (Pension Credit Benefit) Regulations 2000

31. In regulation 26 (extension of time limits for payment of cash equivalents) of the Pension Sharing (Pension Credit Benefit) Regulations 2000—

(a) that regulation becomes paragraph (1) of regulation 26;

(b) for sub-paragraph (a)(ii)(5) of that paragraph substitute—

“(ii) the scheme ceased to be a contracted-out scheme in the 12 month period ending on the second abolition date, and the trustees or managers have not yet reached an agreement with HMRC as to the scheme’s liabilities for guaranteed minimum pensions or section 9(2B) rights;”;

(c) after paragraph (1) insert—

“(2) In this regulation—

“scheme reconciliation service” means the service set up by HMRC which allows schemes to compare the scheme’s records of members who have been contracted-out, and the value of members’ guaranteed minimum pensions, with HMRC’s records of the same, with a view to removing any errors in the scheme’s or HMRC’s records;

“section 9(2B) rights” has the meaning given in regulation 2(1) of the Occupational Pension Schemes (Schemes that were Contracted-out) (No.2) Regulations 2015.”

Amendment of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013

32. In Schedule 2 (basic information) to the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013(6), omit paragraph 12.

(4) Sub-paragraph (ii) was substituted by article 16(3) of this instrument.

(5) Sub-paragraph (ii) was substituted by article 17(3) of this instrument.

(6) [S.I. 2013/2734](#).