
STATUTORY INSTRUMENTS

2016 No. 289

The Pension Sharing (Miscellaneous Amendments) Regulations 2016

Amendments to the Pension Sharing (Pension Credit Benefit) Regulations 2000

- 5.—(1) The Pension Sharing (Pension Credit Benefit) Regulations 2000 are amended as follows.
- (2) In regulation 1(2) (interpretation)(1)—
- (a) after the definition of “base rate”, insert—
- ““categories of benefits” refers to the categories listed in paragraphs (a) to (c) of section 101F(6B) of the 1993 Act(2);”;
- (b) for the definition of “pension credit benefit” substitute—
- ““pension credit benefit” has the meaning given by section 101B of the 1993 Act(3) insofar as that expression is used in Part II of these Regulations;”;
- (c) omit the definition of “statement of entitlement”.
- (3) In regulation 3(a) (pension credit benefit in lump sum form)(4), after “(a), (b),” insert “(ba),”.
- (4) In regulation 21(1) (requirements of other pension arrangements)(5), for “pension credit benefit” substitute “pension credit rights”.
- (5) In regulation 23 (statements of entitlement)(6)—
- (a) for the title “Statements of entitlement” substitute “Written statement of the amount of the cash equivalent of the member’s pension credit rights”;
- (b) in paragraph (1)—
- (i) for “salary related schemes: statements of entitlement” substitute “benefits other than money purchase: statements of entitlement”;
- (ii) for “statement of entitlement” substitute “written statement of the amount of the cash equivalent of the member’s pension credit rights”;
- (c) after paragraph (1), insert—
- “(1A) Where an eligible member has transferrable rights under Part IVA of the 1993 Act in relation to two categories of benefits other than money purchase benefits, the trustees or managers must provide the member with a written statement setting out a separate cash equivalent in relation to each of the categories of benefits, unless the member’s application relates to one of the categories of benefits only.”;
- (d) in paragraphs (3) and (4), in both places where the words appear, for “statement of entitlement” substitute “written statement”.

(1) There are amendments to regulation 1(2) that are not relevant to these Regulations.
(2) Section 101F(6B) was substituted by the 2015 Act, section 67 and Schedule 4, paragraphs 3 and 15(1) and (5).
(3) Section 101B was inserted by the 1999 Act, section 37 and amended by the 2015 Act, section 82(1) and (2).
(4) Regulation 3 was substituted by [S.I. 2009/2930](#).
(5) Regulation 21(1) was amended by [S.I. 2006/744](#) and [2009/598](#).
(6) Regulation 23 was amended by [S.I. 2008/1050](#).

- (6) In regulation 24(2)(f) (manner of calculation and verification of cash equivalents), for “paragraphs 7 and 9” substitute “paragraph 7”.
- (7) In regulation 26 (extension of time limits for payment of cash equivalents)—
 - (a) after the words “section 101J(1)(a)”, in both places where they appear, insert “or (b)”;
 - (b) in paragraph (a)(vi)—
 - (i) for “statement of entitlement” substitute “written statement”;
 - (ii) for “regulation 27 or 28” substitute “regulation 28”.
- (8) In regulation 28 (increases and reductions of cash equivalents once the statement of entitlement has been sent to the eligible member)(7)—
 - (a) in the title, for “statement of entitlement” substitute “written statement”;
 - (b) in paragraph (1)—
 - (i) for “statement of entitlement” substitute “written statement”;
 - (ii) for “of a salary related scheme by the trustees or managers of that scheme” substitute “by the trustees or managers of a scheme”;
 - (c) in paragraph (3), for “the winding up provisions (as defined in regulation 27(13))” substitute “sections 73 to 74 of the 1995 Act”.
- (9) In regulation 29 (increases of cash equivalents on late payment), in both places where it appears, omit “, 27”.
- (10) In regulation 30(1) (personal pension schemes: increases and reductions of cash equivalents), for “pension credit benefit” substitute “pension credit rights”.