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STATUTORY INSTRUMENTS

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**2021 No. 764 (C. 40)**

**FINANCIAL SERVICES  
CONSUMER PROTECTION**

**The Financial Guidance and Claims Act 2018  
(Commencement No. 8) Regulations 2021**

*Made - - - - 25th June 2021*

The Secretary of State for Work and Pensions, in exercise of the powers conferred by section 37(5), (8)(b) and (9)(a)(i) of the Financial Guidance and Claims Act 2018<sup>(1)</sup>, makes the following Regulations.

**Citation and interpretation**

**1.**—(1) These Regulations may be cited as the Financial Guidance and Claims Act 2018 (Commencement No. 8) Regulations 2021.

(2) In these Regulations “the Act” means the Financial Guidance and Claims Act 2018.

**Appointed day**

**2.** The day appointed for the coming into force of the following provisions of the Act is 5th July 2021—

- (a) section 18(1) (personal pension schemes: requirements to refer members to guidance etc.) only in so far as it relates to the provisions specified in paragraphs (b) and (c) of this regulation;
- (b) for the purpose only of making rules, section 18(2);
- (c) section 18(3) to (6);
- (d) section 19(1) (occupational pension schemes: requirements to refer members to guidance etc.) only in so far as it relates to the provisions specified in paragraphs (e) and (f) of this regulation;
- (e) for the purpose only of making regulations, section 19(2) and (3); and
- (f) section 19(4).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed by the authority of the Secretary of State for Work and Pensions

25th June 2021

*Guy Opperman*  
Parliamentary Under Secretary of State  
Department for Work and Pensions

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are the eighth commencement regulations made under the Financial Guidance and Claims Act 2018 (c. 10) (“the Act”) and commence provisions of the Act relating to requirements to refer individuals to pensions guidance.

Regulation 2 appoints the day for the coming into force of section 18(2) of the Act (requirements to refer members to appropriate guidance by trustees or managers of personal or stakeholder pension schemes) for the purpose only of the making of rules by the Financial Conduct Authority as 5th July 2021.

It also appoints 5th July 2021 as the day for the coming into force of section 18(3) to (6) of the Act. In particular, section 18(4) and (6) relate to requirements on the Financial Conduct Authority to consult specified persons before publishing a draft of its rules and, in determining what provision to make in its rules, to have regard to any regulations that are for the time being in force under section 113B of the Pension Schemes Act 1993 (occupational pension schemes: requirements to refer members to guidance etc.) (c. 48) (“the 1993 Act”).

In addition, regulation 2 appoints the day for the coming into force of section 19(2) and (3) of the Act (requirements to refer relevant beneficiaries to appropriate guidance by trustees or managers of occupational pension schemes) for the purpose only of the making of regulations by the Secretary of State as 5th July 2021.

It also appoints 5th July 2021 as the appointed day for the coming into force section 19(4) of the Act which amends section 182 of the 1993 Act (orders and regulations) to create an exception to the power of the Treasury to direct that regulation-making powers are exercisable only in conjunction with them.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

A full impact assessment has been produced in relation to the provisions of the Act, and a copy is available at <http://www.legislation.gov.uk/ukpga/2018/10/resources>. A hard copy of this impact assessment can be obtained from Private Pensions, Projects and Guidance, Department for Work and Pensions, Floor 1, Caxton House, 6 – 12 Tothill Street, London, SW1H 9NA.

## NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

*(This note is not part of the Regulations)*

The following provisions of the Financial Guidance and Claims Act 2018 (c. 10) have been brought into force by commencement regulations made before the date of these Regulations:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1(1) to (5) and (7)	1st October 2018	<a href="#">2018/1029</a>
Section 1(6)	6th April 2021	<a href="#">2021/433</a>
Section 2	1st October 2018	<a href="#">2018/1029</a>
Section 3(1)(a) to (c), (4) to (7) and (9) (for specified purposes)	1st October 2018	<a href="#">2018/1029</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 3(1), (4) to (7) and (9) (for all remaining purposes)	1st January 2019	2018/1330
Section 3(2) and (3)	1st October 2018	2018/1029
Section 3(8) and (10)	1st January 2019	2018/1330
Section 4	1st January 2019	2018/1330
Section 5	1st January 2019	2018/1330
Section 6	1st October 2018	2018/1029
Section 7	1st October 2018	2018/1029
Section 8	1st October 2018	2018/1029
Section 9	1st October 2018	2018/1029
Section 10	1st January 2019	2018/1330
Section 11(2)	1st October 2018	2018/1029
Section 14	1st October 2018	2018/1003
Section 15	1st October 2018	2018/1029
Section 16	1st October 2018	2018/1029
Section 17(1) to (3), (6)(a), (7) and (8)	1st October 2018	2018/1029
Section 17(4), (5) and (6)(b)	1st January 2019	2018/1330
Section 18(1) (for specified purposes)	1st January 2019	2018/1330
Section 18(7)	1st January 2019	2018/1330
Section 20	1st January 2019	2018/1003
Section 23	1st October 2018	2018/1029
Section 24	1st October 2018	2018/1029
Section 26	1st October 2018	2018/1029
Section 27(1) to (14)	6th October 2018	2018/1045
Section 28	29th March 2019	2019/743
Section 33	29th March 2019	2019/743
Section 34	29th March 2019	2019/743
Section 35	8th September 2018	2018/987
Schedule 1	1st October 2018	2018/1029
Schedule 2	1st October 2018	2018/1029
Schedule 3 paragraph 1	1st October 2018	2018/1029
Schedule 3 paragraph 2	1st October 2018	2018/1029
Schedule 3 paragraph 4	1st October 2018	2018/1029

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 3 paragraph 6	1st October 2018	2018/1029
Schedule 3 paragraph 7	1st January 2019	2018/1330
Schedule 3 paragraphs 9 and 10	1st January 2019	2018/1330
Schedule 3 paragraph 11	1st October 2018	2018/1029
Schedule 3 paragraph 12	6th April 2021	2021/433
Schedule 3 paragraph 13(b) and (d)	1st January 2019	2018/1330
Schedule 3 paragraph 13(c)	1st October 2018	2018/1029
Schedule 3 paragraph 14(2)(c) and (3)(c)	1st October 2018	2018/1029
Schedule 3 paragraph 15	6th April 2021	2021/433
Schedule 3 paragraphs 16 to 20	1st January 2019	2018/1330
Schedule 3 paragraph 21(2)(b), (3)(b), (5)(a)(ii) and (5)(b)(iv)	1st October 2018	2018/1029
Schedule 3 paragraphs 21(2)(a) and (c), (3)(a), (4), (5)(a)(iii), (5)(b)(i) and (ii) and 30(b)	1st January 2019	2018/1330
Schedule 3 paragraph 22	6th April 2021	2021/433
Schedule 3 paragraph 23	1st October 2018	2018/1029
Schedule 3 paragraph 24	1st October 2018	2018/1029
Schedule 3 paragraph 25	6th April 2021	2021/433
Schedule 3 paragraph 26	6th April 2021	2021/433
Schedule 3 paragraph 27	6th April 2021	2021/433
Schedule 3 paragraph 28	1st October 2018	2018/1029
Schedule 3 paragraph 29	6th April 2021	2021/433
Schedule 3 paragraph 30(a) and (c)	1st October 2018	2018/1029
Schedule 3 paragraphs 31 and 32	1st January 2019	2018/1330
Schedule 4	6th October 2018	2018/1045