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STATUTORY INSTRUMENTS

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**1996 No. 2282**

**EDUCATION, ENGLAND AND WALES**

**The Teachers' Superannuation (Provision of Information and Administrative Expenses etc.) Regulations 1996**

<i>Made</i>	- - - -	<i>29th August 1996</i>
<i>Laid before Parliament</i>		<i>10th September 1996</i>
<i>Coming into force</i>	- -	<i>1st October 1996</i>

The Secretary of State for Education and Employment, in exercise of the powers conferred by sections 172 and 174(2) of the Pensions Act 1995<sup>(1)</sup> hereby makes the following Regulations: —

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Teachers' Superannuation (Provision of Information and Administrative Expenses etc.) Regulations 1996 and shall come into force on 1st October 1996.

(2) In these Regulations —

“the 1986 Act” means the Financial Services Act 1986;<sup>(2)</sup>

“the 1995 Act” means the Pensions Act 1995; and

“the Teachers' Superannuation Scheme” means the occupational pension scheme constituted by the Teachers' Superannuation (Consolidation) Regulations 1988<sup>(3)</sup>.

**Application**

2.—(1) These Regulations apply to an individual as mentioned in section 172(1) of the 1995 Act who has been eligible to be an active member of the Teachers' Superannuation Scheme.

(2) In paragraph (1) above “active member” shall be construed in accordance with section 172(5) of the 1995 Act.

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(1) 1995 c. 26.

(2) 1986 c. 60.

(3) S.I.1988/1652 as amended by S.I. 1989/378 and 811, 1993/1144, 1994/1058, 2774 and 2876 and 1995/2004.

### **Provision of information**

3.—(1) The circumstances for the purposes of section 172(1) of the 1995 Act (prescribed circumstances in which the Secretary of State may provide information) are that the individual to whom the information relates or, where he has died, his personal representative, has requested or consented in writing to the provision of the information.

(2) The persons for the purposes of section 172(1) of the 1995 Act (prescribed persons to whom the Secretary of State may provide information) are —

- (a) a person who is or has been an authorised person within the meaning of the 1986 Act (“an authorised person”);
- (b) an appointed representative within the meaning of section 44 of the 1986 Act (“an appointed representative”);
- (c) a recognised self-regulating organisation within the meaning of the 1986 Act;
- (d) a recognised professional body within the meaning of the 1986 Act;
- (e) the Securities and Investments Board<sup>(4)</sup>;
- (f) the Investors' Compensation Scheme Limited<sup>(5)</sup>;
- (g) a professional indemnity insurer of an authorised person or an appointed representative;
- (h) The Chartered Accountants' Compensation Scheme;
- (i) The Solicitors' Indemnity Fund Limited;
- (j) a person or body arbitrating or adjudicating in, or investigating or considering, a complaint brought by such an individual as is mentioned in section 172(1) of the 1995 Act against an authorised person or an appointed representative;
- (k) a person or body appointed to act on behalf of any of the above.

### **Readmission etc. fees**

4. The persons for the purposes of section 172(2) of the 1995 Act (prescribed persons on whom the Secretary of State may impose a fee in respect of administrative expenses in connection with the admission or readmission of an individual to a scheme or for the administration of a compensation payment) are the persons specified in regulation 3(2) (a) to (d), and (f) to (i) above and a person or body appointed to act on behalf of any such person.

29th August 1996

*Eric Forth*  
Minister of State,  
Department for Education and Employment

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(4) A designated agency within the meaning of section 114 of the 1986 Act.

(5) Established under section 54 of the 1986 Act.

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## EXPLANATORY NOTE

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

These Regulations are made under section 172 of the Pensions Act 1995 (“the 1995 Act”) and relate to certain individuals who have been active members of the Teachers' Superannuation Scheme.

Section 172(1) of the 1995 Act provides that the Secretary of State may provide certain information relating to individuals in prescribed circumstances to any prescribed person and impose on that person reasonable fees in respect of administrative expenses incurred in providing that information. Regulation 3 prescribes circumstances and persons for the purposes of section 172(1) of the 1995 Act.

Section 172(2) of the 1995 Act provides that the Secretary of State may in certain circumstances impose on any prescribed person reasonable fees in respect of administrative expenses incurred in the admission or re-admission of individuals to schemes, or incurred in connection with the administration of certain compensation payments. Regulation 4 prescribes, in relation to the Teachers' Superannuation Scheme, the persons on whom fees may be imposed for the purposes of section 172(2) of the 1995 Act.

A copy of the compliance cost assessment prepared in respect of these Regulations can be obtained from the Department for Education and Employment, Pensions Policy and Contract Team, Mowden Hall, Staindrop Road, Darlington DL3 9BG. A copy has been placed in the library of each House of Parliament.