

SCHEDULE 2

Regulation 11

MINOR MODIFICATIONS

Schemes covering United Kingdom and foreign employment

1.—(1) This paragraph applies where a scheme which applies to members in employment in the United Kingdom and members in employment outside the United Kingdom is divided into 2 or more sections and the provisions of the scheme are such that—

- (a) different sections of the scheme apply to members in employment in the United Kingdom and to members in employment outside the United Kingdom (“the United Kingdom section” and “the foreign section”),
- (b) contributions payable to the scheme in respect of members are allocated to the section applying to that member’s employment,
- (c) a specified part or proportion of the assets of the scheme is attributable to each section and cannot be used for the purposes of any other section,
- (d) the United Kingdom section is approved and the foreign section is not approved.

(2) In sub-paragraph (1)(d) “approved” means approved or formerly approved under section 590 or 591 of the Taxes Act 1988.

(3) Where this paragraph applies, Article 75 and these Regulations shall apply as if each section of the scheme were a separate scheme, and the reference to the scheme in the form set out in Schedule 1 may be modified appropriately.

2.—(1) This paragraph applies in any case where a scheme which applies to members in employment in the United Kingdom and members in employment outside the United Kingdom does not fall within paragraph 1 and part of the scheme is approved under section 590 or 591 of the Taxes Act 1988 by virtue of section 611(3) of that Act.

(2) Where this paragraph applies, Article 75 and these Regulations shall apply as if the approved and unapproved parts of the scheme were separate schemes, and the reference to the scheme in the form set out in Schedule 1 may be modified appropriately.

Schemes with partial government guarantee

3. Where such a guarantee has been given or such arrangements have been made as are mentioned in regulation 10(1)(b) in respect of part only of a scheme, Article 75 and these Regulations shall apply as if that part and the other part of the scheme were separate schemes, and the reference to the scheme in the form set out in Schedule 1 may be modified appropriately.

Schemes providing salary-related death benefits

4. In determining for the purposes of Article 75 and these Regulations whether a scheme is a money purchase scheme, death benefits which are not money purchase benefits shall be disregarded.