



Social Security Act 1986

1986 CHAPTER 50

PART I

PENSIONS

Personal pension schemes

2 Appropriate schemes.

- (1) Regulations shall provide—
 - (a) for the issue of appropriate scheme certificates by the Occupational Pensions Board;
 - (b) for the cancellation, variation or surrender of any such certificate, or the issue of an amended certificate, on any relevant change of circumstances; and
 - (c) that any question whether a personal pension scheme is or at any time was an appropriate scheme shall be determined by the Board.
- (2) A scheme can be an appropriate scheme only if the requirements imposed by or by virtue of Schedule 1 to this Act are satisfied in its case.
- (3) An appropriate scheme certificate may be withheld or cancelled by the Board if they consider that there are circumstances which make it inexpedient that it should be or continue to be an appropriate scheme, notwithstanding that they would otherwise issue such a certificate or not cancel such a certificate.
- (4) Where by or by virtue of any provision of Schedule 1 to this Act a scheme's being an appropriate scheme depends on the satisfaction of a particular condition, the scheme's continuing to be an appropriate scheme shall be dependent on continued satisfaction of the condition; and if the condition ceases to be satisfied that shall be a ground (without prejudice to any other) for the cancellation or variation of an appropriate scheme certificate.
- (5) Except in prescribed circumstances, no appropriate scheme certificate and no cancellation, variation or surrender of such a certificate shall have effect from a date

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1986, Section 2. (See end of Document for details)

earlier than that on which the certificate is issued or the cancellation, variation or surrender is made.

- (6) An appropriate scheme certificate for the time being in force in relation to a scheme shall be conclusive that the scheme is an appropriate scheme.
- (7) Every assignment of or charge on and every agreement to assign or charge protected rights or payments giving effect to protected rights shall be void.
- (8) On the bankruptcy of a person who is entitled to protected rights or a payment giving effect to protected rights, any protected rights or payment the assignment of which is or would be made void by subsection (7) above shall not pass to any trustee or person acting on behalf of his creditors.
- (9) In the application of this section to Scotland—
 - (a) references to assignment shall be construed as references to assignation and “assign” shall be construed accordingly; and
 - (b) the reference to a person’s bankruptcy shall be construed as a reference to the sequestration of his estate or the appointment on his estate of a judicial factor under section 41 of the ^{M1}Solicitors (Scotland) Act 1980.

Marginal Citations

M1 1980 c. 46.

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