



# Finance (No.2) Act 1987

## 1987 CHAPTER 51

### PART I

#### INCOME TAX, CORPORATION TAX AND CAPITAL GAINS TAX

### CHAPTER II

#### PERSONAL PENSION SCHEMES

##### *Other restrictions on approval*

**27 Scheme administrator.**

The Board shall not approve a personal pension scheme unless they are satisfied that there is a person resident in the United Kingdom who will be responsible for the management of the scheme.

**28 Transfer payments.**

- (1) The Board shall not approve a personal pension scheme unless it makes such provision for the making, acceptance and application of transfer payments as satisfies any requirements imposed by or under regulations made by the Board.
- (2) Regulations under this section shall be made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of the House of Commons.

**29 Excess contributions.**

- (1) The Board shall not approve a personal pension scheme unless it makes provision, in relation to arrangements made in accordance with the scheme, for ensuring that—
  - (a) the aggregate amount of the contributions that may be made in a year of assessment by the member and an employer of his under the arrangements,

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*Status: This is the original version (as it was originally enacted).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

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together with the aggregate amounts of such contributions under other approved personal pension arrangements made by the member, does not exceed the permitted maximum for that year, and

- (b) any excess is repaid to the member to the extent of his contributions and otherwise to his employer.

- (2) In subsection (1) above “the permitted maximum” for a year of assessment means an amount equal to the aggregate of—

- (a) the relevant percentage of the member’s net relevant earnings for the year, and
- (b) so much of any relief given under section 31 below for that year as is given by virtue of section 34;

and references in subsection (1) to contributions by the member do not include references to contributions treated by virtue of section 42(3) below as paid by him.

- (3) In subsection (2) above “the relevant percentage” means 175 per cent. or, in a case where section 32(2) below applies, the relevant percentage there specified.

### **30 Restriction on contributors.**

- (1) The Board shall not approve a personal pension scheme which permits the acceptance of contributions other than—

- (a) contributions by members;
- (b) contributions by employers of members;
- (c) minimum contributions paid by the Secretary of State under Part I of the Social Security Act 1986 or by the Department of Health and Social Services for Northern Ireland under Part II of the Social Security (Northern Ireland) Order 1986.

- (2) The Board shall not approve a personal pension scheme which permits the acceptance of minimum contributions paid as mentioned in subsection (1)(c) above in respect of an individual’s service—

- (a) as director of a company, if his emoluments as such are within section 35(5) below; or
- (b) in an office or employment to which section 36 below applies.