



Pension Schemes Act 1993

1993 CHAPTER 48

^{F1}[^{F1}PART 4ZA

TRANSFERS AND CONTRIBUTION REFUNDS]

^{F1}[^{F1}CHAPTER 1

TRANSFER RIGHTS: GENERAL]

^{F1}100B Meaning of “scheme rules”: occupational pension schemes

- (1) In this Chapter references to the scheme rules, in relation to a pension scheme, are references to—
- (a) the rules of the scheme, except so far as overridden by a relevant legislative provision,
 - (b) the relevant legislative provisions, to the extent that they have effect in relation to the scheme and are not reflected in the rules of the scheme, and
 - (c) any provision which the rules of the scheme do not contain but which the scheme must contain if it is to conform with the requirements of Chapter 1 of Part 4 of this Act.
- (2) For the purposes of subsection (1)—
- (a) “relevant legislative provision” means any provision contained in any of the following provisions—
 - (i) Schedule 5 to the Social Security Act 1989;
 - (ii) Chapter 2 or 3 of Part 4 of this Act or regulations made under either of those Chapters;
 - (iii) this Part of this Act or regulations made under this Part;
 - (iv) Part 4A of this Act or regulations made under that Part;
 - (v) section 110(1) of this Act;
 - (vi) Part 1 of the Pensions Act 1995 or subordinate legislation made or having effect as if made under that Part;

Status: Point in time view as at 11/02/2021. This version of this provision has been superseded.

Changes to legislation: Pension Schemes Act 1993, Section 100B is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (vii) section 31 of the Welfare Reform and Pensions Act 1999;
- (viii) any provision mentioned in section 306(2) of the Pensions Act 2004;
- (ix) regulations made under Schedule 17 to the Pensions Act 2014;
- (x) regulations made under Schedule 18 to the Pensions Act 2014;
- (xi) regulations made under Part 2 of the Pension Schemes Act 2015;
- (xii) section 55 of the Pension Schemes Act 2015;
- (xiii) regulations made under section 56 or 57 of the Pension Schemes Act 2015;
- [sections 21, 23, 26, 28, 29 and 33 of and Schedule 1 to the Pension Schemes Act 2017;]
- [regulations made under section 18(4) of or paragraph 1(6) of Schedule 2 to the Pension Schemes Act 2021;]
- (xvi) sections 34, 39, 41, 42 and 45 of the Pension Schemes Act 2021;]
- (b) a relevant legislative provision is to be taken to override any of the provisions of the scheme if, and only if, it does so by virtue of any of the following provisions—
 - (i) paragraph 3 of Schedule 5 to the Social Security Act 1989;
 - (ii) section 129(1) of this Act;
 - (iii) section 117(1) of the Pensions Act 1995;
 - (iv) section 31(4) of the Welfare Reform and Pensions Act 1999;
 - (v) section 306(1) of the Pensions Act 2004;
 - (vi) regulations made under paragraph 17 of Schedule 17 to the Pensions Act 2014;
 - (vii) regulations made under paragraph 6 of Schedule 18 to the Pensions Act 2014;
 - (viii) regulations made under section 34 of the Pension Schemes Act 2015;
 - (ix) section 55(3) of the Pension Schemes Act 2015;
 - (x) regulations made under section 56(4) or 57(4) of the Pension Schemes Act 2015;
 - [sections 21(7), 23(7), 26(9), 28(6), 29(2) and 33(5) of and paragraph 1(7) of Schedule 1 to the Pension Schemes Act 2017;]
 - [sections 18(7)(b), 34(5), 39(6), 41(6), 42(2) and 45(5) of and paragraph 1(7) of Schedule 2 to the Pension Schemes Act 2021].]

Textual Amendments

- F1** Ss. 100A-100D inserted (6.4.2015) by Pension Schemes Act 2015 (c. 8), s. 89(3)(b), **Sch. 4 para. 14** (with s. 87)
- F2** S. 100B(2)(a)(xiv) inserted (27.4.2017) by Pension Schemes Act 2017 (c. 17), s. 44(1)(c), **Sch. 3 para. 2(a)**
- F3** S. 100B(2)(a)(xv)(xvi) inserted (11.2.2021 for specified purposes) by Pension Schemes Act 2021 (c. 1), **ss. 25(6)(a), 131(1)(3)(a)**
- F4** S. 100B(2)(b)(xi) inserted (27.4.2017) by Pension Schemes Act 2017 (c. 17), s. 44(1)(c), **Sch. 3 para. 2(b)**
- F5** S. 100B(2)(b)(xii) inserted (11.2.2021 for specified purposes) by Pension Schemes Act 2021 (c. 1), **ss. 25(6)(b), 131(1)(3)(a)**

Status:

Point in time view as at 11/02/2021. This version of this provision has been superseded.

Changes to legislation:

Pension Schemes Act 1993, Section 100B is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.