



Pension Schemes Act 1993

1993 CHAPTER 48

PART III **E+W+S**

^{F1}[^{F1}SCHEMES THAT WERE CONTRACTED-OUT ETC] AND EFFECTS ON MEMBERS' STATE SCHEME RIGHTS ...

CHAPTER I **E+W+S**

^{F1}SCHEMES THAT WERE CONTRACTED-OUT: GUARANTEED MINIMUM PENSIONS AND ALTERATION OF SCHEME RULES ETC]

[^{F1}Guaranteed minimum pensions]

20 **Transfer of accrued rights.** **E+W+S**

- (1) Regulations may prescribe circumstances in which and conditions subject to which—
- (a) a transfer of or a transfer payment in respect of—
- (i) an earner's accrued rights to guaranteed minimum pensions under a [^{F1}scheme that was a] contracted-out scheme;
 - (ii) an earner's accrued rights to pensions under an occupational pension scheme ^{F2}... to the extent that those rights derive from his accrued rights to guaranteed minimum pensions under a [^{F3}scheme that was a] contracted-out scheme; or
 - (iii) the liability for the payment of guaranteed minimum pensions to or in respect of any person who has become entitled to them,
- may be made by an occupational pension scheme to another such scheme [^{F4}, to a personal pension scheme or to an overseas arrangement];
- (b) a transfer of or a transfer payment in respect of an earner's accrued rights to guaranteed minimum pensions which are appropriately secured for the purposes of section 19 may be made to an occupational pension scheme [^{F5}, a personal pension scheme or an overseas arrangement].

Changes to legislation: Pension Schemes Act 1993, Section 20 is up to date with all changes known to be in force on or before 15 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) View outstanding changes

- (2) Any such regulations may be made so as to apply to earners who are not in employment at the time of the transfer.
- (3) Regulations under subsection (1) may provide that any provision of this Part (other than sections 18, 19 and 43 to 45, ^{F6}... so far as they apply to personal pension schemes) or of Chapter III of Part IV or Chapter II of Part V shall have effect, where there has been a transfer to which they apply, subject to such modifications as may be specified in the regulations.
- (4) Regulations under subsection (1) shall have effect in relation to transfers whenever made unless they provide that they are only to have effect in relation to transfers which take place after they come into force.
- (5) The power conferred by subsection (1) is without prejudice to the generality of section 182(2).
- (6) In the provisions mentioned in subsection (3) “accrued rights”, in relation to an earner, means the rights conferring prospective entitlement under the scheme in question to the pensions to be provided for the earner and the earner’s [^{F7}widow, widower or surviving civil partner] in accordance with sections 13 and 17, and references to an earner’s accrued rights to guaranteed minimum pensions shall be construed accordingly.

Textual Amendments

- F1** Words in s. 20(1)(a)(i) inserted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), **Sch. 13 para. 18(a)**
- F2** Words in s. 20(1)(a)(ii) omitted (6.4.2016) by virtue of Pensions Act 2014 (c. 19), s. 56(4), **Sch. 13 para. 18(b)(i)**
- F3** Words in s. 20(1)(a)(ii) inserted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), **Sch. 13 para. 18(b)(ii)**
- F4** Words in s. 20(1)(a) substituted (1.1.2001) by Child Support, Pensions and Social Security Act 2000 (c. 19), s. 86(1)(b)(2), **Sch. 5 para. 2(1)(a)** (with s. 83(6)); S.I. 2000/3166, art. 2(3)(b)(ii)
- F5** Words in s. 20(1)(b) substituted (1.1.2001) by Child Support, Pensions and Social Security Act 2000 (c. 19), s. 86(1)(b)(2), **Sch. 5 para. 2(1)(b)** (with s. 83(6)); S.I. 2000/3166, art. 2(3)(b)(ii)
- F6** Words in s. 20(3) omitted (6.4.2015) by virtue of The Pensions Act 2008 (Abolition of Protected Rights) (Consequential Amendments) (No.2) Order 2011 (S.I. 2011/1730), arts. 1(2)(c), **9(2)**
- F7** Words in s. 20(6) substituted (5.12.2005) by The Civil Partnership (Contracted-out Occupational and Appropriate Personal Pension Schemes) (Surviving Civil Partners) Order 2005 (S.I. 2005/2050), art. 1(3), **Sch. 1 para. 6**

Commencement Information

- I1** Ss. 1-187 in force at 7.2.1994 by S.I. 1994/86, **art. 2**

Changes to legislation:

Pension Schemes Act 1993, Section 20 is up to date with all changes known to be in force on or before 15 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.

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Changes and effects yet to be applied to :

- s. 20(3) words repealed by [2007 c. 22 Sch. 4 para. 48](#)[Sch. 7 Pt. 7](#)
- s. 20(6) words substituted by [S.I. 2005/2050 art. 2\(1\)](#)[Sch. 1 para. 6](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 46(1A)(1B) inserted by [2008 c. 30 s. 103\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 103(2)(4)(5) repealed (1.10.2014) without ever being in force by [2014 c. 19, Sch. 12 para. 96\(a\)](#); [S.I. 2014/2377, art. 2\(1\)\(a\)\(ii\)\(3\)\(c\)](#))
- s. 46(1A) words substituted by [2011 c. 19 Sch. 3 para. 10](#)
- s. 71(1A) inserted by [2015 c. 8 s. 39\(2\)\(b\)](#)
- s. 82A inserted by [2015 c. 8 Sch. 1 para. 2](#)
- s. 83(1A)-(1AC) substituted for s. 83(1A) by [2015 c. 8 Sch. 1 para. 3](#)
- s. 84-84F substituted for s. 84 by [2015 c. 8 Sch. 1 para. 4](#)
- s. 85A inserted by [2015 c. 8 Sch. 1 para. 5](#)
- s. 86A86B inserted by [2015 c. 8 Sch. 1 para. 6](#)
- s. 94(2A)(a)(viii) inserted by [2014 c. 19 Sch. 17 para. 20\(2\)\(a\)](#)
- s. 94(2A)(b)(vi) inserted by [2014 c. 19 Sch. 17 para. 20\(2\)\(b\)](#)
- s. 101AI(8)(a)(viii) inserted by [2014 c. 19 Sch. 17 para. 20\(3\)\(a\)](#)
- s. 101AI(8)(b)(vi) inserted by [2014 c. 19 Sch. 17 para. 20\(3\)\(b\)](#)
- s. 113(4)(4A) substituted for s. 113(4) by [2015 c. 8 s. 38\(5\)](#)
- s. 145(1A)-(1C) inserted by [2004 c. 35 Sch. 12 para. 23](#)
- s. 146(6A) inserted by [2004 c. 35 Sch. 12 para. 24\(b\)](#)
- s. 175A inserted by [2008 c. 30 Sch. 10 para. 1](#)
- s. 185(2)(ca) inserted by [2018 c. 10 s. 19\(5\)](#)
- s. 186(3)(ba) inserted by [2015 c. 8 Sch. 1 para. 7](#)
- s. 186(3)(za) inserted by [2008 c. 30 s. 103\(5\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 103(2)(4)(5) repealed (1.10.2014) without ever being in force by [2014 c. 19, Sch. 12 para. 96\(a\)](#); [S.I. 2014/2377, art. 2\(1\)\(a\)\(ii\)\(3\)\(c\)](#))
- Sch. 3 para. A1 and cross-heading inserted by [2015 c. 8 Sch. 1 para. 8](#)