



# Pension Schemes Act 1993

## 1993 CHAPTER 48

### PART III

#### CERTIFICATION OF PENSION SCHEMES AND EFFECTS ON MEMBERS' STATE SCHEME RIGHTS AND DUTIES

### CHAPTER I

#### CERTIFICATION

#### *Preliminary*

#### **7 Issue of contracting-out and appropriate scheme certificates**

- (1) Regulations shall provide for the Board to issue certificates stating—
  - (a) that the employment of an earner in employed earner's employment is contracted-out employment by reference to an occupational pension scheme;  
or
  - (b) that a personal pension scheme is an appropriate scheme;and in this Act a certificate under paragraph (a) is referred to as "a contracting-out certificate" and a certificate under paragraph (b) as "an appropriate scheme certificate".
- (2) The regulations shall provide for contracting-out certificates to be issued to employers and to specify—
  - (a) the employments which are to be treated, either generally or in relation to any specified description of earners, as contracted-out employments; and
  - (b) the occupational pension schemes by reference to which those employments are to be so treated.
- (3) An occupational pension scheme is a contracted-out scheme in relation to an earner's employment if it is for the time being specified in a contracting-out certificate in

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*Status: This is the original version (as it was originally enacted).*

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relation to that employment; and references in this Act to the contracting-out of a scheme are references to its inclusion in such a certificate.

- (4) A personal pension scheme is an appropriate scheme if there is in force an appropriate scheme certificate issued by the Board in accordance with this Chapter that it is such a scheme.
- (5) 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.
- (6) Regulations shall provide that any question whether a personal pension scheme is or at any time was an appropriate scheme shall be determined by the Board.
- (7) Except in prescribed circumstances, no contracting-out certificate or appropriate scheme certificate shall have effect from a date earlier than that on which the certificate is issued.