
STATUTORY INSTRUMENTS

1995 No. 2303

**The Income-related Benefits Schemes and
Social Security (Claims and Payments)
(Miscellaneous Amendments) Regulations 1995**

Amendment of the Claims and Payments Regulations

10.—(1) The Claims and Payments Regulations ^{M1} shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 2(1) (interpretation) after the definition of “partner” there shall be inserted the following definitions—

““pension fund holder” means with respect to a personal pension scheme or retirement annuity contract, the trustees, managers or scheme administrators, as the case may be, of the scheme or contract concerned;

“personal pension scheme” has the same meaning as in section 1 of the Pension Schemes Act 1993 ^{M2} in respect of employed earners and in the case of self-employed earners, includes a scheme approved by the Board of Inland Revenue under Chapter IV of Part XIV of the Income and Corporation Taxes Act 1988 ^{M3};

“retirement annuity contract” means a contract or trust scheme approved under Chapter III of Part XIV of the Income and Corporation Taxes Act 1988;”.

(3) In regulation 7 (evidence and information) after paragraph (3) there shall be added the following paragraphs—

“(4) In the case of a person who is claiming disability working allowance, family credit or income support, where that person or any partner is aged not less than 60 and is a member of, or a person deriving entitlement to a pension under, a personal pension scheme, or is a party to, or a person deriving entitlement to a pension under, a retirement annuity contract, he shall where the Secretary of State so requires furnish the following information—

- (a) the name and address of pension fund holder;
- (b) such other information including any reference or policy number as is needed to enable the personal pension scheme or retirement annuity contract to be identified.

(5) Where the pension fund holder receives from the Secretary of State a request for details concerning the personal pension scheme or retirement annuity contract relating to a person or any partner to whom paragraph (4) refers, the pension fund holder shall provide the Secretary of State with any information to which paragraph (6) refers.

(6) The information to which this paragraph refers is—

- (a) where the purchase of an annuity under a personal pension scheme has been deferred, the amount of any income which is being withdrawn from the personal pension scheme;
- (b) in the case of—
 - (i) a personal pension scheme where income withdrawal is available, the maximum amount of income which may be withdrawn from the scheme; or

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Changes to legislation: There are currently no known outstanding effects for the The Income-related Benefits Schemes and Social Security (Claims and Payments) (Miscellaneous Amendments) Regulations 1995, Section 10. (See end of Document for details)

- (ii) a personal pension scheme where income withdrawal is not available, or a retirement annuity contract, the maximum amount of income which might be withdrawn from the fund if the fund were held under a personal pension scheme where income withdrawal was available,

calculated by or on behalf of the pension fund holder by means of tables prepared from time to time by the Government Actuary which are appropriate for this purpose.”.

(4) In regulation 32 (information to be given when obtaining payment of benefit) after paragraph (2) there shall be added the following paragraphs—

“(3) In the case of a person who is claiming income support, where that person or any partner is aged not less than 60 and is a member of, or a person deriving entitlement to a pension under, a personal pension scheme, or is a party to, or a person deriving entitlement to a pension under, a retirement annuity contract, he shall where the Secretary of State so requires furnish the following information—

- (a) the name and address of the pension fund holder;
- (b) such other information including any reference or policy number as is needed to enable the personal pension scheme or retirement annuity contract to be identified.

(4) Where the pension fund holder receives from the Secretary of State a request for details concerning a personal pension scheme or retirement annuity contract relating to a person or any partner to whom paragraph (3) refers, the pension fund holder shall provide the Secretary of State with any information to which paragraph (5) refers.

(5) The information to which this paragraph refers is—

- (a) where the purchase of an annuity under a personal pension scheme has been deferred, the amount of any income which is being withdrawn from the personal pension scheme;
- (b) in the case of—
 - (i) a personal pension scheme where income withdrawal is available, the maximum amount of income which may be withdrawn from the scheme; or
 - (ii) a personal pension scheme where income withdrawal is not available, or a retirement annuity contract, the maximum amount of income which might be withdrawn from the fund if the fund were held under a personal pension scheme where income withdrawal was available,

calculated by or on behalf of the pension fund holder by means of tables prepared from time to time by the Government Actuary which are appropriate for this purpose.”.

Modifications etc. (not altering text)

C1 Reg. 10 modified (7.4.2003 for specified purposes) by [The Child Benefit and Guardian’s Allowance \(Administration\) Regulations 2003 \(S.I. 2003/492\)](#), regs. 1, 43, **Sch. 3 Pt. 1** (with regs. 1(2), 44)

Marginal Citations

M1 [S.I. 1987/1968](#); relevant amending instruments S.I. 1991/2741 and 1992/2595.
M2 1993 c. 48.
M3 1988 c. 1.

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