

STATUTORY INSTRUMENTS

1997 No. 784

**The Occupational Pension Schemes
(Discharge of Liability) Regulations 1997**

PART III

**DISCHARGE OF LIABILITY TO PROVIDE
PENSIONS UNDER A RELEVANT SCHEME**

Circumstances in which liability to provide pensions under a relevant scheme may be discharged

9.—(1) The trustees of a relevant scheme may discharge any liability to provide pensions under a relevant scheme where the circumstances specified [^{F1}in paragraph (2)] apply.

(2) The member or, if the member has died, [^{F2}the member's widow, widower or surviving civil partner or, if there is no such person], any person who may be entitled to payment of the pension under the scheme, consents in writing to the discharge of liability and the transaction to discharge the liability—

- (a) is to be carried out not earlier than the time when the member's pensionable service terminates; and
- (b) satisfies all the conditions specified in regulation 11.

^{F3}(3)

Textual Amendments

- F1** Words in reg. 9(1) substituted (6.4.2021) by The Pensions Act 2014 (Abolition of Contracting-out for Salary Related Pension Schemes) (Consequential Amendments and Savings) Order 2016 (S.I. 2016/200), arts. 1(5), **35(2)(a)**
- F2** Words in reg. 9(2) 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. 2 para. 42**
- F3** Reg. 9(3) omitted (6.4.2021) by virtue of The Pensions Act 2014 (Abolition of Contracting-out for Salary Related Pension Schemes) (Consequential Amendments and Savings) Order 2016 (S.I. 2016/200), arts. 1(5), **35(2)(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Occupational Pension Schemes (Discharge of Liability) Regulations 1997, Section 9.