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STATUTORY INSTRUMENTS

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**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 either in paragraph (2) or (3) apply.

(2) The member or, if the member has died, his widow or her widower, or if there is no such widow or widower, 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.

(3) The member's employment is to cease to be contracted-out under section 9(2B) of the 1993 Act and the transaction to discharge liability satisfies all the conditions specified in regulation 11.