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STATUTORY INSTRUMENTS

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**2000 No. 1403**

**The Stakeholder Pension Schemes Regulations 2000**

**PART II**

**CONDITIONS APPLYING TO STAKEHOLDER PENSION SCHEMES**

[<sup>F1</sup>18A.—(1) [<sup>F2</sup>Subject to paragraph (1A)] where a person is a member for all or part of a statement year relating to them, there must be provided to that person—

- (a) within three months of the end of that statement year; or
- (b) where that person ceases during that statement year to be a member, during the period beginning with the time at which that person so ceases and ending on and including the last day of the three-month period mentioned in sub-paragraph (a),

a statement which contains the information mentioned in paragraph 1 of Schedule 3 and either paragraph 2 or 3 of Schedule 3, so far as that information relates to that statement year or, in cases falling within sub-paragraph (b) of this paragraph, to the part of that statement year beginning with the first day of that statement year (whether or not that day is earlier than the day on which that person becomes a member) and ending with the time at which that person so ceases.

[  
<sup>F3</sup>(1A) The information mentioned in paragraph (1) need not but may, nevertheless, be given in respect of a statement year where—

- (a) the statement year is the first to end on or after the date the person became a member of the scheme; and
- (b) the end of that statement year falls at a time when—
  - (i) no contributions have been credited to the scheme in respect of the person; or
  - (ii) the person has the right to opt out of the scheme under section 8 of the Pensions Act 2008 (jobholder's right to opt out).

(1B) Where—

- (a) the information is not provided to the person by virtue of paragraph (1A); and
- (b) contributions have been credited in respect of the member in respect of the statement year mentioned in paragraph (1A)(a),

it must be provided no later than the information that relates to the next following statement year.]

(2) Subject to paragraph (4), where a statement is provided under paragraph (1) it must also contain an illustration of the amount, calculated in accordance with regulation 18B, of the pension an entitlement to which would be likely to accrue to the member, or be capable of being secured by the member, at the member's retirement date in respect of rights that may arise under the scheme.

[  
<sup>F4</sup>(2A) For the purposes of paragraph (2), the calculation of the amount of the pension mentioned in paragraph (2) may take account of a lump sum.]

*Status: Point in time view as at 01/01/2014.*

*Changes to legislation: There are currently no known outstanding effects for the The Stakeholder Pension Schemes Regulations 2000, Section 18A. (See end of Document for details)*

- (3) Where information is provided under paragraph (2)—
  - (a) that information must be accompanied by the additional information specified in paragraph 5 of Schedule 3; and
  - (b) the further information specified in paragraph 6 of Schedule 3 must be provided by one of the methods in paragraph (6) of this regulation.
- (4) The requirement to furnish information under paragraph (2) does not apply—
  - (a) in respect of a person who is in receipt of pension benefits under the scheme;
  - (b) where the last day of the statement year referred to in paragraph 1(b)(i) of Schedule 3 is not more than two years before the date which is the member’s retirement date for the purpose of paragraph (2) of this regulation;
  - (c) where, in relation to the member—
    - (i) the value, determined by reference to the relevant guidance, of the member’s accrued rights to money purchase benefits under the scheme was less than £5,000 on the illustration date in respect of which such information was last furnished to the member;
    - (ii) no contributions, including transfers of pension rights or pension credits, have been made to the scheme by the member or on the member’s behalf in respect of money purchase benefits since that date; and
    - (iii) the trustees or manager previously gave notice to the member that no further such information would be furnished to the member unless further contributions to the scheme in respect of money purchase benefits had first been made by the member or on the member’s behalf; <sup>F5</sup>or]
  - (d) where, in relation to the member—
    - (i) the value, determined by reference to the relevant guidance, of the member’s accrued rights to money purchase benefits under the scheme is less than £5,000 on the first illustration date falling after 5th April 2003;
    - (ii) no contributions, including transfers of pension rights or pension credits, have been made to the scheme by the member or on the member’s behalf after 5th April 2003; and
    - (iii) no further contributions are, in the opinion of the trustees or manager, likely to be made to the scheme by the member or on the member’s behalf after that illustration date; <sup>F6</sup>...

<sup>F7</sup>(e) .....

(5) Where paragraph (4) applies but the trustees or manager nevertheless choose to furnish the information described in paragraph (2) and the amount comprising that information is calculated in accordance with regulation 18B, then—

- (a) that information must be accompanied by the additional information specified in paragraph 5 of Schedule 3; and
- (b) the further information specified in paragraph 6 of Schedule 3 must be provided by one of the methods in paragraph (6) of this regulation,

as if that additional and further information had been provided under paragraph (2).

- (6) The methods referred to in paragraphs (3)(b) and (5)(b) are for the further information to—
  - (a) accompany the information described in paragraph 5 of Schedule 3; or
  - (b) be otherwise furnished by the trustees or manager.

(7) Where—

(a) a statement has been issued to a member under paragraph (1);  
(b) in that statement, the trustees or manager provided the information listed in paragraph 3, rather than paragraph 2, of Schedule 3 to that member; and  
(c) that member requests any information listed in paragraph 2 of Schedule 3 from the scheme, the trustees or manager must provide to the member a statement in accordance with the conditions referred to in paragraph (8) of this regulation containing the information listed in paragraph 2 of Schedule 3 which the member has requested.

(8) The conditions referred to in this paragraph as mentioned in paragraph (7) are—

(a) the statement must be provided—

(i) as soon as practicable, and

(ii) within two months of the date on which the request referred to in paragraph (7)(c) is received; and

(b) the information must relate to the same statement year, or part of a statement year, to which the statement issued under paragraph (1) relates.

(9) Each member must be provided with a statement setting out the information in paragraph 7 of Schedule 3.

(10) The statement mentioned in paragraph (9) must be provided within one month of the change mentioned in paragraph 7 of Schedule 3.]

#### **Textual Amendments**

- F1** Regs. 18-18E substituted for reg. 18 (1.12.2010) by [The Occupational, Personal and Stakeholder Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2010 \(S.I. 2010/2659\)](#), regs. 1(2), **4(6)**
- F2** Words in [reg. 18A\(1\)](#) inserted (6.4.2014) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) Regulations 2013 \(S.I. 2013/2734\)](#), reg. 1(1), **Sch. 9 para. 9(4)(a)**
- F3** [Reg. 18A\(1A\)\(1B\)](#) inserted (6.4.2014) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) Regulations 2013 \(S.I. 2013/2734\)](#), reg. 1(1), **Sch. 9 para. 9(4)(b)**
- F4** [Reg. 18A\(2A\)](#) inserted (6.4.2014) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) Regulations 2013 \(S.I. 2013/2734\)](#), reg. 1(1), **Sch. 9 para. 9(4)(c)**
- F5** Word in [reg. 18A\(4\)](#) inserted (6.4.2014) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) Regulations 2013 \(S.I. 2013/2734\)](#), reg. 1(1), **Sch. 9 para. 9(4)(d)(i)**
- F6** Word in [reg. 18A\(4\)](#) omitted (6.4.2014) by virtue of [The Occupational and Personal Pension Schemes \(Disclosure of Information\) Regulations 2013 \(S.I. 2013/2734\)](#), reg. 1(1), **Sch. 9 para. 9(4)(d)(ii)**
- F7** [Reg. 18A\(4\)\(e\)](#) omitted (6.4.2014) by virtue of [The Occupational and Personal Pension Schemes \(Disclosure of Information\) Regulations 2013 \(S.I. 2013/2734\)](#), reg. 1(1), **Sch. 9 para. 9(4)(d)(iii)**

**Status:**

Point in time view as at 01/01/2014.

**Changes to legislation:**

There are currently no known outstanding effects for the The Stakeholder Pension Schemes Regulations 2000, Section 18A.