

2005 No. 891

PENSIONS

**The Occupational Pension Schemes (Contracting-out) (Amount
Required for Restoring State Scheme Rights) Amendment
Regulations 2005**

<i>Made</i> - - - -	<i>22nd March 2005</i>
<i>Laid before Parliament</i>	<i>31st March 2005</i>
<i>Coming into force</i> - -	<i>21st April 2005</i>

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by sections 181(1) and 182(2) of, and paragraph 5(3C)(c) of Schedule 2 to, the Pension Schemes Act 1993(a), and by section 176(1) of, and paragraph 5(3C)(c) and (4A) of Schedule 1 to, the Pension Schemes (Northern Ireland) Act 1993(b) and now vested in him(c), and of all other powers enabling him in that behalf, having consulted such persons as he considers appropriate(d), hereby makes the following Regulations:

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the Occupational Pension Schemes (Contracting-out) (Amount Required for Restoring State Scheme Rights) Amendment Regulations 2005.

(2) These Regulations come into force on 21st April 2005.

(3) Regulations 2 and 3 apply if the effective date is on or after 21st April 2005.

(4) In paragraph (3) “the effective date” means—

- (a) in the case of regulation 2, the date on which the Commissioners of Inland Revenue determine for the purposes of paragraph 5(3A) to (3E) of Schedule 2 (resources of scheme insufficient on winding up) to the Pension Schemes Act 1993 the extent to which the resources of a scheme are insufficient to meet the liability for the cash equivalent of the member’s rights under the scheme; and
- (b) in the case of regulation 3, the date on which the Commissioners of Inland Revenue determine for the purposes of paragraph 5(3A) to (3E) of Schedule 1 (resources of scheme insufficient on winding up) to the Pension Schemes (Northern Ireland) Act 1993

(a) 1993 c.48. Paragraph 5(3A) to (3E) of Schedule 2 was inserted by section 141(2) of the Pensions Act 1995 (c.26) and amended by paragraph 62(4)(c) of Schedule 1 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2). Section 181(1) is cited for the meaning it gives to “prescribe” and “regulations”.

(b) 1993 c.49. Section 176(1) is cited for the meaning it gives to “prescribe”. Paragraph 5(3A) to (3E) of Schedule 1 was inserted by Article 138(2)(b) of the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22)) and amended by paragraph 77(5)(c) of Schedule 1 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671) (“the 1999 Order”) and paragraph 5(4A) (which is cited for the meanings it gives to “regulations” and “prescribed”) was inserted by paragraph 77(5)(d) of Schedule 1 to the 1999 Order.

(c) See paragraph 5(4A) of Schedule 1 to the Pension Schemes (Northern Ireland) Act 1993, as inserted by paragraph 77(5)(d) of Schedule 1 to the 1999 Order.

(d) See section 185(1) of the Pension Schemes Act 1993.

the extent to which the resources of a scheme are insufficient to meet the liability for the cash equivalent of the member's rights under the scheme.

(5) This regulation, in so far as it relates to regulation 2, and regulation 2 apply to England, Wales and Scotland.

(6) This regulation, in so far as it relates to regulation 3, and regulation 3 apply to Northern Ireland.

Amendments of the Occupational Pension Schemes (Contracting-out) (Amount Required for Restoring State Scheme Rights and Miscellaneous Amendment) Regulations 1998

2.—(1) The Occupational Pension Schemes (Contracting-out) (Amount Required for Restoring State Scheme Rights and Miscellaneous Amendment) Regulations 1998(a) (“the 1998 Regulations”) are amended as follows.

(2) In regulation 3(2)(b) (method of calculation where no election to pay a contributions equivalent premium may be made) after “representing—” insert—

“(ia) as regards any relevant employment after 5th April 2002, the weekly amount as specified in paragraph (3);”.

(3) In regulation 3(2)(b)(i) after “1997” insert “and before 6th April 2002”.

(4) After regulation 3(2) add—

“(3) The weekly amount specified in this paragraph is—

(a) the weekly amount of additional pension to which the member would be entitled in respect of the relevant employment after 5th April 2002 (whether by virtue of his own contributions or, in the case of a surviving spouse member, by virtue of the earner's contributions) if the scheme had not been a contracted-out scheme, less the weekly amount of any such pension to which he is so entitled despite the scheme being such a scheme; or

(b) the weekly amount of additional pension to which the member would have become so entitled on attaining pensionable age if the scheme had not been such a scheme, less the weekly amount of any such pension to which he will be so entitled despite the scheme being such a scheme.”.

(5) In regulation 4(b) (market level indicator) for “3.5 per cent.” substitute “3 per cent.”.

(6) For the tables in Schedule 1 substitute the tables set out in Schedule 1 to these Regulations.

(7) For the table in Schedule 2 substitute the table set out in Schedule 2 to these Regulations.

Amendments of the Occupational Pension Schemes (Contracting-out) (Amount Required for Restoring State Scheme Rights and Miscellaneous Amendment) Regulations (Northern Ireland) 1998

3.—(1) The Occupational Pension Schemes (Contracting-out) (Amount Required for Restoring State Scheme Rights and Miscellaneous Amendment) Regulations (Northern Ireland) 1998(b) (“the 1998 Regulations”) are amended as follows.

(2) In regulation 3(2)(b) (method of calculation where no election to pay a contributions equivalent premium may be made) after “representing—” insert—

“(ia) as regards any relevant employment after 5th April 2002, the weekly amount as specified in paragraph (3);”.

(3) In regulation 3(2)(b)(i) after “1997” insert “and before 6th April 2002”.

(a) S.I. 1998/1397. Regulation 4 and Schedule 2 were amended by regulation 2 of S.I. 1999/3069. See also section 1(2) of, and Schedule 2 to, the Social Security Contributions (Transfer of Functions, etc.) Act 1999, (which transferred to the Commissioners of Inland Revenue the functions of the Secretary of State under those Regulations).

(b) S.R. 1998 No. 208. Regulation 4 and Schedule 2 were amended by regulation 2 of S.I. 1999/3069. See also Article 3(2) of, and Schedule 2, to the 1999 Order (which effected a corresponding transfer of functions under S.R. 1998 No. 208.)

(4) After regulation 3(2) add —

“(3) The weekly amount specified in this paragraph is—

- (a) the weekly amount of additional pension to which the member would be entitled in respect of the relevant employment after 5th April 2002 (whether by virtue of his own contributions or, in the case of a surviving spouse member, by virtue of the earner’s contributions) if the scheme had not been a contracted-out scheme, less the weekly amount of any such pension to which he is so entitled despite the scheme being such a scheme; or
- (b) the weekly amount of additional pension to which the member would have become so entitled on attaining pensionable age if the scheme had not been such a scheme, less the weekly amount of any such pension to which he will be so entitled despite the scheme being such a scheme.”.

(5) In regulation 4(b) (market level indicator) for “3.5 per cent.” substitute “3 per cent.”.

(6) For the tables in Schedule 1 substitute the tables set out in Schedule 1 to these Regulations.

(7) For the table in Schedule 2 substitute the table set out in Schedule 2 to these Regulations.

Signed by authority of the Secretary of State for Work and Pensions.

Malcolm Wicks
Minister of State,
Department for Work and Pensions

22nd March 2005

SCHEDULE 1

Regulations 2(6) and 3(6)

TABLES TO BE SUBSTITUTED IN SCHEDULE 1 TO THE 1998 REGULATIONS

TABLE 1

MEN (EXCLUDING SURVIVING SPOUSE MEMBERS) WHO ARE UNDER
PENSIONABLE AGE

<i>Age attained in relevant tax year</i>	<i>Factor A</i>	<i>Factor B1</i>	<i>Factor B2</i>	<i>Factor C1</i>	<i>Factor C2</i>
16	4.98	3.49	3.92	4.32	4.85
17	5.08	3.57	4.00	4.42	4.95
18	5.18	3.65	4.08	4.52	5.05
19	5.29	3.73	4.17	4.62	5.15
20	5.40	3.82	4.25	4.73	5.26
21	5.51	3.91	4.34	4.83	5.37
22	5.62	4.00	4.43	4.94	5.48
23	5.73	4.09	4.52	5.06	5.59
24	5.85	4.18	4.61	5.17	5.70
25	5.97	4.28	4.70	5.29	5.82
26	6.09	4.37	4.80	5.41	5.93
27	6.21	4.47	4.90	5.53	6.06

<i>Age attained in relevant tax year</i>	<i>Factor A</i>	<i>Factor B1</i>	<i>Factor B2</i>	<i>Factor C1</i>	<i>Factor C2</i>
28	6.34	4.58	4.99	5.66	6.18
29	6.47	4.68	5.10	5.79	6.30
30	6.60	4.79	5.20	5.93	6.44
31	6.74	4.90	5.31	6.06	6.57
32	6.88	5.02	5.42	6.20	6.71
33	7.03	5.13	5.53	6.35	6.85
34	7.18	5.25	5.65	6.50	6.99
35	7.33	5.38	5.77	6.66	7.14
36	7.49	5.51	5.89	6.82	7.30
37	7.64	5.64	6.02	6.98	7.45
38	7.81	5.77	6.15	7.14	7.61
39	7.97	5.90	6.27	7.31	7.77
40	8.14	6.04	6.40	7.48	7.93
41	8.31	6.19	6.54	7.66	8.10
42	8.49	6.34	6.68	7.85	8.28
43	8.68	6.49	6.83	8.04	8.46
44	8.87	6.65	6.98	8.24	8.64
45	9.07	6.81	7.13	8.44	8.83
46	9.27	6.98	7.29	8.65	9.03
47	9.47	7.14	7.44	8.86	9.23
48	9.67	7.31	7.60	9.06	9.42
49	9.88	7.49	7.76	9.28	9.62
50	10.09	7.67	7.93	9.50	9.83
51	10.31	7.85	8.10	9.73	10.04
52	10.53	8.04	8.28	9.97	10.26
53	10.87	8.31	8.53	10.31	10.59
54	11.23	8.59	8.80	10.67	10.93
55	11.60	8.88	9.08	11.05	11.30
56	11.98	9.18	9.36	11.44	11.67
57	12.39	9.50	9.67	11.86	12.06
58	12.79	9.82	9.96	12.27	12.45
59	13.41	10.16	10.29	12.71	12.87
60	14.07	10.52	10.62	13.18	13.31
61	14.75	10.89	10.97	13.66	13.76
62	15.47	11.29	11.34	14.17	14.24
63	16.24	11.71	11.74	14.72	14.76
64	17.05	12.16	12.16	15.31	15.31

TABLE 2

WOMEN (EXCLUDING SURVIVING SPOUSE MEMBERS) WHO HAVE A PENSIONABLE AGE OF 65 AND ARE UNDER THAT AGE

<i>Age attained in relevant tax year</i>	<i>Factor D</i>	<i>Factor E1</i>	<i>Factor E2</i>	<i>Factor F1</i>	<i>Factor F2</i>
16	5.36	3.58	4.03	4.65	5.22

<i>Age attained in relevant tax year</i>	<i>Factor D</i>	<i>Factor E1</i>	<i>Factor E2</i>	<i>Factor F1</i>	<i>Factor F2</i>
17	5.47	3.66	4.11	4.75	5.33
18	5.58	3.74	4.19	4.86	5.43
19	5.69	3.83	4.27	4.97	5.54
20	5.81	3.91	4.36	5.08	5.65
21	5.92	4.00	4.44	5.19	5.77
22	6.04	4.09	4.53	5.31	5.88
23	6.16	4.18	4.62	5.43	6.00
24	6.28	4.27	4.71	5.55	6.12
25	6.41	4.37	4.81	5.68	6.24
26	6.54	4.47	4.90	5.80	6.37
27	6.67	4.57	5.00	5.93	6.49
28	6.80	4.67	5.10	6.07	6.62
29	6.94	4.77	5.20	6.20	6.76
30	7.08	4.88	5.30	6.35	6.89
31	7.22	4.99	5.41	6.49	7.03
32	7.37	5.10	5.51	6.64	7.18
33	7.52	5.21	5.62	6.79	7.32
34	7.67	5.33	5.73	6.95	7.47
35	7.83	5.44	5.85	7.11	7.63
36	7.99	5.57	5.96	7.27	7.78
37	8.15	5.69	6.08	7.43	7.94
38	8.32	5.82	6.20	7.60	8.10
39	8.48	5.95	6.32	7.78	8.26
40	8.65	6.08	6.45	7.95	8.43
41	8.83	6.22	6.58	8.14	8.60
42	9.01	6.36	6.71	8.32	8.78
43	9.20	6.50	6.84	8.51	8.96
44	9.39	6.64	6.98	8.71	9.14
45	9.58	6.79	7.12	8.91	9.33
46	9.77	6.95	7.26	9.11	9.52
47	9.97	7.10	7.41	9.32	9.71
48	10.17	7.27	7.56	9.53	9.91
49	10.38	7.43	7.71	9.75	10.11
50	10.60	7.60	7.87	9.98	10.32
51	10.81	7.78	8.03	10.21	10.53
52	11.03	7.96	8.20	10.44	10.75
53	11.38	8.22	8.44	10.79	11.08
54	11.74	8.49	8.70	11.16	11.43
55	12.11	8.77	8.97	11.53	11.79
56	12.49	9.06	9.24	11.93	12.16
57	12.89	9.37	9.53	12.34	12.55
58	13.30	9.69	9.84	12.75	12.94
59	13.80	10.03	10.15	13.20	13.36
60	14.33	10.38	10.48	13.66	13.79
61	14.87	10.75	10.83	14.15	14.25
62	15.44	11.15	11.20	14.65	14.73
63	16.03	11.56	11.59	15.19	15.23
64	16.65	12.01	12.01	15.76	15.76

TABLE 3

WOMEN (EXCLUDING SURVIVING SPOUSE MEMBERS) WHO HAVE A PENSIONABLE AGE OF 60 AND ARE UNDER THAT AGE

<i>Age attained in relevant tax year</i>	<i>Factor D</i>	<i>Factor E1</i>	<i>Factor E2</i>	<i>Factor F1</i>	<i>Factor F2</i>
53	15.23	10.87	11.03	14.55	14.77
54	15.78	11.24	11.38	15.08	15.26
55	16.43	11.64	11.75	15.63	15.78
56	17.06	12.05	12.14	16.20	16.32
57	17.73	12.48	12.54	16.80	16.88
58	18.41	12.93	12.96	17.42	17.46
59	19.13	13.41	13.41	18.07	18.07

TABLE 4

WOMEN (EXCLUDING SURVIVING SPOUSE MEMBERS) WHO HAVE A PENSIONABLE AGE BETWEEN 60 AND 65 AND ARE UNDER THAT AGE

		<i>2004/05</i>	<i>2005/06</i>	<i>2006/07</i>
Tax year of birth	Factor D			
1950/51		15.78	16.13	16.49
1951/52		14.38	14.70	15.02
1952/53		13.15	13.43	13.73
1953/54		12.02	12.28	12.55
1954/55		11.12	11.36	11.60
Tax year of birth	Factor E1			
1950/51		11.24	11.53	11.84
1951/52		10.30	10.56	10.83
1952/53		9.43	9.67	9.91
1953/54		8.64	8.85	9.08
1954/55		7.98	8.18	8.38
Tax year of birth	Factor E2			
1950/51		11.38	11.65	11.92
1951/52		10.47	10.72	10.96
1952/53		9.64	9.86	10.09
1953/54		8.87	9.07	9.28
1954/55		8.24	8.42	8.61
Tax year of birth	Factor F1			
1950/51		15.08	15.45	15.84
1951/52		13.72	14.06	14.41
1952/53		12.50	12.80	13.11
1953/54		11.39	11.66	11.94

		2004/05	2005/06	2006/07
1954/55		10.49	10.74	10.99
Tax year of birth	Factor F2			
1950/51		15.26	15.60	15.95
1951/52		13.96	14.26	14.58
1952/53		12.77	13.05	13.34
1953/54		11.70	11.95	12.21
1954/55		10.82	11.05	11.29

TABLE 5
MEN AND WOMEN (EXCLUDING SURVIVING SPOUSE MEMBERS) WHO
HAVE ATTAINED PENSIONABLE AGE

<i>Age attained in relevant tax year</i>	<i>Men</i>			<i>Women</i>		
	<i>Factor G</i>	<i>Factor H</i>	<i>Factor I</i>	<i>Factor J</i>	<i>Factor K</i>	<i>Factor L</i>
60				20.74	14.42	19.49
61				20.30	14.13	19.00
62				19.86	13.84	18.51
63				19.41	13.55	18.02
64				18.87	13.24	17.52
65	18.53	13.05	16.47	18.31	12.93	17.01
66	18.24	12.74	15.97	17.75	12.60	16.48
67	17.94	12.41	15.47	17.16	12.27	15.94
68	17.63	12.08	14.97	16.57	11.91	15.40
69	17.07	11.74	14.45	15.96	11.55	14.83
70	16.50	11.38	13.92	15.33	11.17	14.26
71	15.92	11.01	13.39	14.70	10.78	13.68
72	15.33	10.64	12.85	14.07	10.39	13.10
73	14.71	10.25	12.31	13.43	9.99	12.51
74	14.11	9.86	11.77	12.80	9.59	11.93
75	13.49	9.48	11.23	12.17	9.20	11.36
76	12.89	9.09	10.71	11.57	8.81	10.81
77	12.28	8.71	10.19	10.98	8.43	10.27
78	11.69	8.33	9.70	10.41	8.06	9.75
79	11.12	7.96	9.21	9.87	7.69	9.25
80	10.56	7.60	8.75	9.33	7.33	8.76
81	10.01	7.24	8.29	8.81	6.98	8.29
82	9.50	6.90	7.86	8.32	6.63	7.83
83	9.03	6.58	7.46	7.86	6.30	7.40
84	8.53	6.25	7.05	7.42	5.99	7.00
85	8.05	5.93	6.65	7.01	5.70	6.62
86	7.58	5.62	6.28	6.65	5.42	6.28
87	7.14	5.33	5.92	6.31	5.16	5.96
88	6.72	5.05	5.58	6.00	4.92	5.66

<i>Age attained in relevant tax year</i>	<i>Men</i>			<i>Women</i>		
	<i>Factor G</i>	<i>Factor H</i>	<i>Factor I</i>	<i>Factor J</i>	<i>Factor K</i>	<i>Factor L</i>
89	6.31	4.77	5.25	5.72	4.70	5.39
90	5.97	4.52	4.95	5.43	4.49	5.13
91	5.64	4.27	4.67	5.16	4.28	4.87
92	5.32	4.04	4.40	4.89	4.07	4.62
93	5.03	3.83	4.15	4.64	3.88	4.38
94	4.72	3.61	3.90	4.39	3.69	4.16

TABLE 6
SURVIVING SPOUSE MEMBERS

<i>Age attained in relevant tax year</i>	<i>Widowers</i>		<i>Widows</i>		
	<i>Factor M</i>	<i>Factor N</i>	<i>Factor O</i>	<i>Factor P</i>	<i>Factor Q</i>
25 and below	7.50	7.28	8.87	6.97	8.63
26	8.09	7.84	9.13	7.12	8.87
27	8.89	8.61	9.50	7.37	9.22
28	9.87	9.55	9.92	7.64	9.62
29	11.18	10.80	10.39	7.96	10.07
30	12.03	11.62	10.85	8.27	10.51
31	12.86	12.41	11.23	8.52	10.88
32	13.64	13.15	11.64	8.80	11.27
33	14.14	13.64	12.04	9.07	11.65
34	14.55	14.03	12.42	9.33	12.02
35	14.84	14.31	12.80	9.59	12.38
36	15.09	14.55	13.11	9.81	12.68
37	15.27	14.73	13.29	9.93	12.85
38	15.39	14.84	13.36	9.97	12.91
39	15.51	14.95	13.32	9.93	12.88
40	15.60	15.05	13.20	9.83	12.76
41	15.72	15.17	13.00	9.66	12.56
42	15.79	15.23	12.86	9.53	12.43
43	15.84	15.29	12.78	9.44	12.35
44	15.90	15.34	12.78	9.41	12.34
45	15.95	15.40	12.86	9.43	12.41
46	16.00	15.45	13.02	9.51	12.57
47	16.07	15.52	13.29	9.67	12.82
48	16.16	15.61	13.68	9.92	13.19
49	16.24	15.69	14.21	10.27	13.70
50	16.33	15.78	14.91	10.75	14.38
51	16.40	15.86	15.83	11.40	15.26
52	16.47	15.94	16.69	12.03	16.09
53	16.51	15.98	17.46	12.61	16.85
54	16.53	16.01	18.13	13.13	17.50

<i>Age attained in relevant tax year</i>	<i>Widowers</i>		<i>Widows</i>		
	<i>Factor M</i>	<i>Factor N</i>	<i>Factor O</i>	<i>Factor P</i>	<i>Factor Q</i>
55	16.53	16.02	18.65	13.56	18.01
56	16.47	15.97	19.02	13.90	18.38
57	16.36	15.87	19.25	14.14	18.61
58	16.23	15.75	19.30	14.26	18.67
59	16.10	15.64	19.18	14.26	18.57
60	15.95	15.50	18.92	14.16	18.33
61	15.75	15.32	18.50	13.94	17.94
62	15.51	15.10	18.07	13.71	17.54
63	15.25	14.86	17.62	13.47	17.11
64	14.97	14.59	17.16	13.20	16.68
65	14.67	14.31	16.68	12.93	16.23
66	14.15	13.81	16.14	12.60	15.72
67	13.62	13.31	15.59	12.27	15.20
68	13.09	12.80	15.03	11.91	14.66
69	12.56	12.29	14.46	11.55	14.12
70	12.03	11.78	13.88	11.17	13.56
71	11.50	11.27	13.30	10.78	13.01
72	10.96	10.76	12.72	10.39	12.45
73	10.44	10.25	12.14	9.99	11.89
74	9.93	9.76	11.56	9.59	11.34
75	9.44	9.28	11.01	9.20	10.80
76	8.96	8.81	10.46	8.81	10.27
77	8.50	8.37	9.94	8.43	9.77
78	8.05	7.94	9.44	8.06	9.28
79	7.63	7.52	8.95	7.69	8.81
80	7.22	7.13	8.48	7.33	8.35
81	6.83	6.75	8.02	6.98	7.90
82	6.46	6.38	7.58	6.63	7.47
83	6.10	6.03	7.16	6.30	7.07
84	5.76	5.70	6.77	5.99	6.68
85	5.44	5.38	6.40	5.70	6.33
86	5.14	5.08	6.06	5.42	5.99
87	4.85	4.80	5.75	5.16	5.68
88	4.57	4.53	5.45	4.92	5.40
89	4.30	4.27	5.18	4.70	5.13
90	4.04	4.01	4.92	4.49	4.88
91	3.79	3.76	4.67	4.28	4.63
92	3.56	3.53	4.43	4.07	4.39
93	3.35	3.32	4.21	3.88	4.17
94	3.14	3.12	3.99	3.69	3.96
95 and over	2.94	2.93	3.77	3.50	3.75

SCHEDULE 2

Regulations 2(7) and 3(7)

TABLE TO BE SUBSTITUTED IN SCHEDULE 2 TO THE 1998
REGULATIONS

TABLE
FOR DERIVING THE INDEX NUMBER FROM 15-YEAR GROSS
REDEMPTION YIELD: EFFECTIVE DATE ON OR AFTER 21ST APRIL 2005

<i>Yield per cent.</i>		<i>Index Number</i>
<i>From</i>	<i>To</i>	
1.05%	1.09%	1.50
1.10%	1.15%	1.49
1.16%	1.21%	1.48
1.22%	1.27%	1.47
1.28%	1.32%	1.46
1.33%	1.38%	1.45
1.39%	1.44%	1.44
1.45%	1.50%	1.43
1.51%	1.56%	1.42
1.57%	1.62%	1.41
1.63%	1.68%	1.40
1.69%	1.75%	1.39
1.76%	1.81%	1.38
1.82%	1.87%	1.37
1.88%	1.93%	1.36
1.94%	2.00%	1.35
2.01%	2.06%	1.34
2.07%	2.13%	1.33
2.14%	2.19%	1.32
2.20%	2.26%	1.31
2.27%	2.33%	1.30
2.34%	2.39%	1.29
2.40%	2.46%	1.28
2.47%	2.53%	1.27
2.54%	2.60%	1.26
2.61%	2.67%	1.25
2.68%	2.74%	1.24
2.75%	2.81%	1.23
2.82%	2.88%	1.22
2.89%	2.96%	1.21
2.97%	3.03%	1.20
3.04%	3.11%	1.19
3.12%	3.18%	1.18
3.19%	3.26%	1.17
3.27%	3.33%	1.16
3.34%	3.41%	1.15
3.42%	3.49%	1.14

<i>Yield per cent.</i>		<i>Index Number</i>
<i>From</i>	<i>To</i>	
3.50%	3.57%	1.13
3.58%	3.65%	1.12
3.66%	3.73%	1.11
3.74%	3.81%	1.10
3.82%	3.90%	1.09
3.91%	3.98%	1.08
3.99%	4.06%	1.07
4.07%	4.15%	1.06
4.16%	4.24%	1.05
4.25%	4.33%	1.04
4.34%	4.41%	1.03
4.42%	4.50%	1.02
4.51%	4.60%	1.01
4.61%	4.69%	1.00
4.70%	4.78%	0.99
4.79%	4.88%	0.98
4.89%	4.97%	0.97
4.98%	5.07%	0.96
5.08%	5.17%	0.95
5.18%	5.27%	0.94
5.28%	5.37%	0.93
5.38%	5.47%	0.92
5.48%	5.57%	0.91
5.58%	5.68%	0.90
5.69%	5.79%	0.89
5.80%	5.89%	0.88
5.90%	6.00%	0.87
6.01%	6.12%	0.86
6.13%	6.23%	0.85
6.24%	6.34%	0.84
6.35%	6.46%	0.83
6.47%	6.58%	0.82
6.59%	6.70%	0.81
6.71%	6.82%	0.80
6.83%	6.95%	0.79
6.96%	7.07%	0.78
7.08%	7.20%	0.77
7.21%	7.33%	0.76
7.34%	7.46%	0.75
7.47%	7.60%	0.74
7.61%	7.74%	0.73
7.75%	7.88%	0.72
7.89%	8.02%	0.71
8.03%	8.17%	0.70
8.18%	8.31%	0.69
8.32%	8.46%	0.68
8.47%	8.62%	0.67
8.63%	8.78%	0.66
8.79%	8.94%	0.65

<i>Yield per cent.</i>		<i>Index Number</i>
<i>From</i>	<i>To</i>	
8.95%	9.10%	0.64
9.11%	9.27%	0.63
9.28%	9.44%	0.62
9.45%	9.61%	0.61
9.62%	9.79%	0.60

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Occupational Pension Schemes (Contracting-out) (Amount Required for Restoring State Scheme Rights and Miscellaneous Amendment) Regulations 1998 (S.I. 1998/1397) and the Occupational Pension Schemes (Contracting-out) (Amount Required for Restoring State Scheme Rights and Miscellaneous Amendment) Regulations (Northern Ireland) 1998 (S.R. 1998 No. 208) (“the 1998 Regulations”). The 1998 Regulations deal with the calculation of the amount required for restoring certain rights under the State retirement pension scheme of members of occupational pension schemes that are wound up underfunded (“the calculation”).

The amendments apply where the effective date of the calculation is on or after 21st April 2005. (The effective date is the date on which the Commissioners of Inland Revenue determine the extent to which the resources of the pension scheme in question are insufficient to meet the liability for the cash equivalent of the member’s rights under the scheme).

Regulation 2 amends the Occupational Pension Schemes (Contracting-out) (Amount Required for Restoring State Scheme Rights and Miscellaneous Amendment) Regulations 1998. It amends the definition of “relevant weekly amount” so that the calculation covers relevant employment after 5th April 2002. For such employment the calculation is done by reference to the relevant weekly amount which reflects the deduction made in calculating the additional pension in a Category A retirement pension where the earner was in contracted-out employment.

In the case of members within 10 years of pensionable age, it changes the percentage to be used as the numerator in calculating the market level indicator from 3.5 per cent. to 3 per cent.

It also substitutes new tables in Schedule 1 to those Regulations setting out new actuarial factors to be used for the purposes of the calculation and a new table in Schedule 2 setting out the investment indices relating to the yields of gilts and equities that are used in finding the market level indicator for the calculation.

Regulation 3 makes corresponding amendments of the Occupational Pension Schemes (Contracting-out) (Amount Required for Restoring State Scheme Rights and Miscellaneous Amendment) Regulations (Northern Ireland) 1998.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

£3.00

© Crown copyright 2005

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s
Stationery Office and Queen’s Printer of Acts of Parliament.

E0643 3/2005 150643T 19585

ISBN 0-11-072675-8

