
STATUTORY INSTRUMENTS

2006 No. 572

**The Taxation of Pension Schemes
(Transitional Provisions) Order 2006**

Modification of section 636B ITEPA 2003

37.—(1) Section 636B of ITEPA 2003(1) (trivial commutation and winding-up lump sums) is modified as follows in relation to an equivalent pension benefits commutation lump sum pursuant to regulation 2(1A) of—

- (a) the Occupational Pension Schemes (Assignment, Forfeiture, Bankruptcy etc) Regulations 1997(2); or
 - (b) the Occupational Pension Schemes (Assignment, Forfeiture, Bankruptcy etc) Regulations (Northern Ireland) 1997(3).
- (2) For the heading substitute—

“Trivial commutation, winding-up lump sums etc.”

- (3) In subsection (1)—
- (a) at the end of paragraph (a) omit “or”;
 - (b) at the end of paragraph (b) add “or”; and
 - (c) after that paragraph insert the following paragraph—
“**(c) an equivalent pension benefits commutation lump sum,**”
- (4) In subsection (4) after “In this section—” insert the following definition—
“**“equivalent pension benefits commutation lump sum” means a lump sum payment arising from the commutation of equivalent pension benefits pursuant to regulation 2(1A) of—**
- (a) the Occupational Pension Schemes (Assignment, Forfeiture, Bankruptcy etc) Regulations 1997; or
 - (b) the Occupational Pension Schemes (Assignment, Forfeiture, Bankruptcy etc) Regulations (Northern Ireland) 1997.”.

(1) 2003 c. 1. Section 636B was inserted by paragraph 11 of Schedule 31 to the Finance Act 2004 (c. 12). Subsection (3) was amended by paragraph 59 of Schedule 10 to the Finance Act 2005 (c. 7).

(2) S.I. 1997/785. Paragraph (1A) was inserted by regulation 9 of S.I. 2002/681. There are other amending instruments but none is relevant.

(3) S.R. 1997 No. 153. Paragraph (1A) was inserted by regulation 8 of S.R. 2002 No. 109. There are other amending instruments but none is relevant.