
STATUTORY INSTRUMENTS

2009 No. 598

The Pensions Act 2008 (Abolition of Safeguarded Rights) (Consequential) Order 2009

Amendment of the Occupational Pension Schemes (Contracting-out) Regulations 1996

3.—(1) The Occupational Pension Schemes (Contracting-out) Regulations 1996⁽¹⁾ are amended in accordance with this article.

(2) In regulation 1(2) (interpretation)⁽²⁾, omit the definition of “safeguarded rights”.

(3) In regulation 23(d) (requirements for meeting the statutory standard)⁽³⁾, omit sub-paragraph (ii) and the word “or” immediately preceding it.

(4) In regulation 39 (circumstances in which schemes may change mode of contracting-out)⁽⁴⁾—

(a) in paragraph (1), omit “and any safeguarded rights”, and

(b) in paragraph (2), for “, section 9(2B) rights and any safeguarded rights” substitute “and section 9(2B) rights”.

(5) In regulation 63(2)(aa) (provision of information about guaranteed minimum pensions)⁽⁵⁾, for “, protected rights or safeguarded rights” substitute “or protected rights”.

(6) In regulation 73(b) (transitional arrangements and savings for salary-related schemes which have begun winding up before the principal appointed day)⁽⁶⁾, omit “and any liabilities in respect of safeguarded rights under section 68A of that Act”.

(7) In regulation 76A (transitional arrangements for schemes contracted-out under section 9(2) of the 1993 Act to become contracted-out under section 9(3) of that Act)⁽⁷⁾, for paragraph (3) substitute—

“(3) Where this regulation applies, sections 50, 52 and 53 of that Act (approval of arrangements for, and supervision of, schemes which cease to be contracted-out) as they apply in relation to the guaranteed minimum pensions provided under the scheme shall be modified so as to have effect as if those pensions were provided under a separate scheme which had ceased to be certified as a contracted-out scheme immediately before the principal appointed day.”.

(1) [S.I. 1996/1172](#).

(2) The definition of “safeguarded rights” was inserted by [S.I. 2000/2975](#).

(3) Regulation 23(d) was amended by [S.I. 2000/2975](#).

(4) Regulation 39 was amended by S.I.s [1997/819](#) and [2000/2975](#).

(5) Sub-paragraph (aa) was inserted by [S.I. 2002/681](#).

(6) Regulation 73(b) was amended by [S.I. 2000/2975](#).

(7) Regulation 76A was inserted by [S.I. 1996/1577](#) and paragraph (3) was substituted by [S.I. 2000/2975](#).