
Status: Point in time view as at 06/04/2019.

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STATUTORY INSTRUMENTS

2013 No. 2734

PENSIONS

The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013

<i>Made</i>	- - - -	<i>24th October 2013</i>
<i>Laid before Parliament</i>		<i>31st October 2013</i>
<i>Coming into force</i>		<i>6th April 2014</i>

THE OCCUPATIONAL AND PERSONAL PENSION SCHEMES (DISCLOSURE OF INFORMATION) REGULATIONS 2013

PART 1

General

1. Citation, commencement, expiry, revocations and amendments
2. Interpretation
3. Recognised trade union
4. Application of these Regulations
5. Civil penalties relating to occupational pension schemes

PART 2

Information for new and prospective members

6. Basic scheme information
7. Basic scheme information to be given by certain schemes

PART 3

Changes to information

8. Material alterations to basic scheme information
9. Modification by the Regulator
10. Former stakeholder pension schemes

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PART 4

Information to be given on request

11. Constitution of the scheme
12. Annual report
- 12A Additional information available on request: pooled funds
13. Other information to be given on request
14. Transfer credits

PART 5

Funding statements, benefit statements and illustrations

15. Summary funding statements
16. Statements of benefits: non money purchase benefits
- 16A Statements of benefits: cash balance benefits
17. Statements of benefits: money purchase benefits

PART 6

Lifestyling and accessing benefits

18. Lifestyling
- 18A Information to be given on request and on a member providing certain information
- 18B Information to be given on communicating with a member about what the member may do with flexible benefits
19. First information on accessing benefits
- 19A Retirement risk warnings
20. Second information on accessing benefits
21. Accessing benefits on the death of the member or beneficiary

PART 7

Information about benefits in payment

22. Changes to benefits

PART 8

Information about winding up

23. Personal pension schemes that have begun winding up
24. Occupational pension schemes during winding up
25. Occupational pension schemes after winding up for individual members

PART 9

Giving information and documents

26. Giving information and documents
 27. Provision of information on a website
 28. Provision of information on a website: supplemental
 29. Giving information and documents in certain cases
 - 29A Publishing charges and transaction costs
 30. Responsibility for giving information and documents
- Signature

SCHEDULES

SCHEDULE 1 — Description of schemes

1. (1) An occupational pension scheme falls within this paragraph if...
2. A personal pension scheme falls within this paragraph if it...

SCHEDULE 2 — Basic information

PART 1 — Information to be given by occupational pension schemes that fall within paragraph 1 of Schedule 1

1. The conditions persons must meet to become members of the...
2. How persons who are eligible to be members of the...
3. A summary of what can be done with a member's...
4. A statement relating to the matters mentioned in paragraph 3—...
- 4A Where the member has flexible benefits, a statement explaining the...
- 4B Subject to paragraph 4C where the member has safeguarded benefits...
- 4C Paragraph 4B does not apply to a member of an...
5. Whether the scheme is a tax registered scheme or, if...
6. A statement that explains whether transfers can be made into...
7. The arrangements, if any, for the payment by members of...
8. A summary of how the contributions, if any, payable by...
9. Where the scheme is the National Employment Savings Trust Corporation...
10. A statement that— (a) the Money and Pensions Service is...
11. The postal and electronic address at which each of the...
12. Except where the scheme has no relevant employment which is...
13. If a member of the scheme has to give a...
14. Whether, and if so on what conditions (if any), a...
15. The following information about benefits payable under the scheme (referred...
16. Where the member has money purchase benefits, a statement that...
- 16A Where the member has rights to cash balance benefits, a...
17. Except where the scheme is a public service pension scheme,...
18. (1) The scheme's internal dispute resolution arrangements.

PART 2 — Information to be given by occupational pension schemes not falling within paragraph 1 of Schedule 1 and schemes that are established under the Salvation Army Act 1963

19. The following information about benefits payable under the scheme (referred...
20. A statement that explains whether transfers can be made into...
21. A summary of what can be done with a member's...
22. A statement relating to the matters mentioned in paragraph 21—...
- 22A Where the member has flexible benefits, a statement explaining the...
- 22B Subject to paragraph 22C where the member has safeguarded benefits...
- 22C Paragraph 22B does not apply to a member of an...
23. (1) The scheme's internal dispute resolution arrangements.
24. A statement that— (a) the Money and Pensions Service is...
25. The postal address and electronic address at which each of...
26. A statement setting out— (a) which benefits—
27. A statement that most of the provisions of the 1995...
28. Where the member has money purchase benefits, a statement that...
- 28A Where the member has rights to cash balance benefits, a...

PART 3 — Lifestyling

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29. A statement explaining lifestyling, its advantages and disadvantages, and either—...

SCHEDULE 3 — Information to be given on request

PART 1 — Information on the constitution of the scheme

1. The contents of any trust deed or document under which...
2. The scheme rules.
3. The contents of any document that supplements or alters in...
4. The name and postal and electronic address of every person...

PART 2 — Information in the annual report etc.

5. A copy of the appropriate audited accounts or auditor's statements...
6. If Part 3 of the 2004 Act applies, a copy...
7. Any of the information listed in Part 5 of this...

PART 3 — Information on funding principles and actuarial valuations etc.

8. The latest statement of funding principles where required under section...
9. Where Part 3 of the 2004 Act applies to the...
10. Where Part 3 of the 2004 Act applies to the...
11. Any recovery plan prepared under section 226 of the 2004...
12. The latest payment schedule under section 87 of the 1995...
13. The latest statement of principles governing decisions about investments where...
14. A summary of the winding up procedure under section 231A...

PART 4 — Information on transfer credits

15. Whether the member or prospective member is entitled to acquire...
16. A statement of any transfer credits referred to in paragraph...

PART 5 — Information that applies to the scheme

17. The names of the persons who are trustees of the...
18. The provisions of the scheme in relation to the appointment...
19. The names of the professional advisers and of such banks,...
20. The postal and electronic address to which enquiries about the...
21. The number of beneficiaries and active, deferred and pensioner members...
22. Except in the case of a money purchase scheme, the...
23. Except in the case of a money purchase scheme that...
24. A statement as to whether the accounts have been prepared...
25. If the auditor's statement made in accordance with regulations made...
26. If such situation as is mentioned in paragraph 25 in...
27. Who has managed the investments of the scheme during the...
28. Whether the trustees have produced a statement of the principles...
29. Except in relation to a wholly insured scheme, a statement...
30. Where the scheme is one to which section 35 of...
31. A copy of any statement made on the resignation or...
32. Except where the scheme is a trust scheme that applies...
33. (1) Where the scheme is a trust scheme that applies...
34. Where the scheme is a relevant scheme within the meaning...

PART 6 — INFORMATION TO BE GIVEN ABOUT POOLED FUNDS

35. (1) A statement identifying in relation to the provision of...

SCHEDULE 4 — Summary funding statements

1. A summary that— (a) explains the extent to which the...
2. In the case of the first summary funding statement issued...
3. In the case of any subsequent summary funding statement, an...
4. The actuary's estimate of solvency contained in the last actuarial...
5. A summary of any recovery plan prepared under section 226...

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6. A statement explaining— (a) whether the scheme has been modified...
7. Where there has been a modification, directions or a schedule...
8. A statement explaining whether any payment to the employer under...
9. Where a payment referred to in paragraph 8 has been...

SCHEDULE 5 — Statements of benefits: non money purchase benefits

PART 1 — Information for active members

1. The amount of any benefits (and how they are calculated)...
2. One of the following amounts, chosen by the trustees or...
3. The amount of the member's pensionable remuneration on a date...

PART 2 — Information for active and deferred members

4. The date on which the member's pensionable service started.
5. A summary of the method for calculating the member's benefits...
6. Details of how any deduction from benefits is calculated.

PART 3 — Information for deferred members

7. The date the member's pensionable service ended.
8. The amount of the member's benefits and survivors' benefits payable...
9. The amount of the member's pensionable remuneration on the date...

PART 4 — Information for pension credit members

10. The amount of the member's benefits and survivors' benefits payable...
11. A summary of the method for calculating the member's benefits...
12. Details of how any deduction from benefits is calculated.

SCHEDULE 6 — Statements of benefits: money purchase benefits and cash balance benefits

PART 1 — Information for all money purchase members

1. The amount of contributions (before any deductions are made) credited...
2. Where an occupational pension scheme was a contracted-out scheme at...
3. (1) Where a personal pension scheme was an appropriate scheme...
4. The value of the member's accrued rights under the scheme...
5. Any cash equivalent in respect of the transfer of the...
- 5A Where the scheme is a relevant scheme within the meaning...
- 5B In relation to the information that must be published on...

PART 2 — Pension illustration

6. (1) For money purchase benefits, an illustration of the amount...
 - 6A For cash balance benefits, an illustration of the amount of...
 7. (1) The amount referred to in paragraph 6 must be...
 8. (1) The assumptions are— (a) where the calculation relates to...
 9. A statement that the information given under this Part is...
 10. A statement of how the person to whom the information...
 11. A statement that general assumptions have been made.
 12. A statement that any amounts in the information given under...
 13. The member's retirement date used for the purposes of the...
 14. The illustration date used for the purposes of the information...
- PART 3 — Further information to be given on pension illustration**
15. A statement that— (a) assumptions have been made about the...
 16. A statement that the amount of any pension payable under...
 - 16A A statement that the amount of any pension payable under...
 17. A statement of any— (a) assumptions made relating to future...

SCHEDULE 7 — Information to be given by schemes that relates to accessing benefits

PART 1 — Information to be given to persons having an opportunity to select an annuity

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1. A statement that the person has an opportunity to select...
2. A statement that the person has an opportunity to select...
3. A statement that different annuities have different features and different...
4. Either— (a) an explanation of the characteristic features of the...
5. A statement that the person should consider taking advice about...
 - PART 2 — Information on accessing benefits for members and survivors
6. The amount of benefit that is payable.
7. If benefit is payable periodically— (a) any conditions for continuing...
8. Any rights and options that persons have on the death...
9. Any procedures for exercising the rights and options referred to...
10. The provisions (or, as the case may be, a statement)...
 - Part 3 — Information to be Given to Members Having an Opportunity to Transfer Flexible Benefits
11. A statement that the member has an opportunity to transfer...
12. A statement that different pension providers offer different options in...
13. A statement that different options have different features, different rates...
14. Either— (a) a copy of guidance that explains the characteristic...

SCHEDULE 8 — Information to be given by schemes about winding up

PART 1 — Information to be given by occupational pension schemes during winding up

1. A statement that the scheme is being wound up.
2. The reasons why the scheme is being wound up.
3. Where section 22 of the 1995 Act (circumstances in which...
4. In the case of active members, whether death in service...
5. A summary of the action that is being taken, and...
6. An estimate of when— (a) the scheme's liabilities are likely...
7. Either— (a) an indication of the extent to which (if...
 - PART 2 — Information to be given by occupational pension schemes after winding up
8. Whether the member or beneficiary's benefits are reduced because the...
9. The amount of any reduction of the member's, or beneficiary's,...
10. Who has or will become liable for the payment of...
 - PART 3 — Information to be given by personal pension schemes after winding up
11. (1) The amount of— (a) contributions (before the making of...
12. At a date specified by the managers of the scheme...
13. The options available to a member for preserving, transferring or...
14. An account of the amount by which the member's accrued...
 - PART 4 — Report under section 72A of the 1995 Act
15. Where a report has been made to the Regulator under...
 - PART 5 — Information on expected benefits
16. An estimate of the amount of the member's and beneficiary's...

SCHEDULE 9 — Amendments to Regulations

1. The Occupational Pension Schemes (Preservation of Benefit) Regulations 1991
2. The Occupational Pension Schemes (Contracting-out) Regulations 1996
3. The Occupational Pension Schemes (Transfer Values) Regulations 1996
4. The Occupational Pension Schemes (Requirement to obtain Audited Accounts and a Statement from the Auditor) Regulations 1996
5. The Occupational Pension Schemes (Winding Up) Regulations 1996

6. The Occupational Pension Schemes (Discharge of Liability) Regulations 1997
7. The Pensions on Divorce etc. (Provision of Information) Regulations 2000
8. The Pension Sharing (Pension Credit Benefit) Regulations 2000
9. The Stakeholder Pension Schemes Regulations 2000
10. The Personal Pension Schemes (Payments by Employers) Regulations 2000
11. The Occupational Pension Schemes (Winding Up Notices and Reports etc.) Regulations 2002
12. The Occupational Pension Schemes (Independent Trustee) Regulations 2005
13. The Occupational Pension Schemes (Winding up etc.) Regulations 2005
14. The Occupational Pension Schemes (Scheme Funding) Regulations 2005
15. The Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006
16. The Occupational Pension Schemes (Payments to Employer) Regulations 2006
17. The Application of Pension Legislation to the National Employment Savings Trust Corporation Regulations 2011
18. The Pensions Act 2007 (Abolition of Contracting-out for Defined Contribution Pension Schemes) (Consequential Amendments) Regulations 2011

SCHEDULE 10 — INFORMATION TO BE GIVEN ON THE PENSIONS GUIDANCE AND MEMBERS' BENEFITS

Part 1 — Information on the Pensions Guidance

1. A statement that pensions guidance is available to help the...
2. A statement that the pensions guidance may be accessed on...
3. The phone number and website address at which the pensions...
4. A statement that the pensions guidance is free and impartial...
5. A statement that the person should access the pensions guidance...

Part 2 — Information on Members' Benefits

6. An estimate of the cash equivalent of any of the...
7. An estimate of the value of any accrued rights to...
8. The date by reference to which the estimate of the...
9. An explanation that the cash equivalent or value (as appropriate)...
10. In relation to the member's accrued rights to flexible benefits...
11. Where the member has a right or entitlement to benefits...

Part 3 — Further information

12. A statement that— (a) there may be tax implications associated...
13. Where the member has accrued rights to flexible benefits that...

Explanatory Note

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