
STATUTORY INSTRUMENTS

2013 No. 2734

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

PART 6

Lifestyling and accessing benefits

Accessing benefits on the death of the member or beneficiary

21.—(1) The information mentioned in paragraph (2) must be given in accordance with this regulation where the trustees or managers of the scheme are aware that—

- (a) a member or beneficiary of the scheme has died, and
 - (b) a person may be entitled to exercise rights or options under the scheme as a result of that death.
- (2) The information is the information listed in—
- (a) Part 1 and paragraphs 8 to 10 of Schedule 7 where the person referred to in paragraph (1) (b) has an opportunity to select an annuity, ^{F1}...
 - (b) Part 2 of that Schedule in any other case^{F2}; and
 - (c) Part 1 of Schedule 10 where the person has an opportunity to—
 - (i) transfer accrued rights to flexible benefits out of the scheme under the scheme rules;
 - (ii) apply sums or assets held for the purpose of providing flexible benefits for purchasing an annuity;
 - (iii) take payment of a lump sum in respect of flexible benefits; or
 - (iv) designate sums or assets held for the purpose of providing flexible benefits as available for the payment of drawdown pension.]
- (3) The information must be given to—
- (a) the person referred to in paragraph (1)(b), if that person is at least 18 years old and the trustees or managers of the scheme know their postal or electronic address, and
 - (b) subject to paragraph (4), a person who is—
 - (i) a personal representative of the member or beneficiary of the scheme, or
 - (ii) authorised to act on behalf of the person referred to in paragraph (1)(b).
- (4) For the purposes of paragraph (3), the information—
- (a) must be given only where the personal representative or the person authorised to act requests it, and
 - (b) need not be given where a request is made within three years of the same information being given under this regulation to the same person in the same capacity.
- (5) The information must be given as soon as possible and in any event within two months of—

- (a) the date on which the trustees or managers of the scheme become aware of the death, or
- (b) the request referred to in paragraph (4).

Textual Amendments

- F1** Word in reg. 21(2)(a) omitted (6.4.2015) by virtue of [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **10(a)** (with reg. 15)
- F2** Reg. 21(2)(c) and word inserted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **10(b)** (with reg. 15)

Changes to legislation:

There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013, Section 21.