

SCHEDULES

SCHEDULE 1

Regulation 4(1), (4) and (5)

Description of schemes

1.—(1) An occupational pension scheme falls within this paragraph if it meets the following conditions.

(2) The first condition is that the scheme—

(a) is a tax registered scheme,

(b) was formerly—

(i) approved by the Commissioners for Her Majesty's Revenue and Customs for the purposes of section 590 or 591 of the Income and Corporation Taxes Act 1988 ^{M1},

(ii) a statutory scheme as defined in section 611A of that Act ^{M2}, or

(iii) approved by the Commissioners for Her Majesty's Revenue and Customs under Chapter 4 of Part 14 of that Act ^{M3},

(c) has a superannuation fund as referred to in section 615(6) of the Income and Corporation Taxes Act 1988 (exemption from tax in respect of certain pensions) and has trustees or managers of the scheme who are—

(i) authorised under section 288 of the 2004 Act (general authorisation to accept contributions from European employers), and

(ii) approved under section 289 of the 2004 Act ^{M4} (approval in relation to particular European employer) in relation to a European employer ^{M5}, or

(d) is a public service pension scheme ^{M6}.

(3) The second condition is that the scheme—

(a) has 2 or more members,

(b) does not provide only death benefits,

(c) is established in the United Kingdom or has at least one trustee or manager resident in the United Kingdom, and

(d) is not established by the Salvation Army Act 1963.

Marginal Citations

M1 1988 c.1. Sections 590 and 591 were repealed by the Finance Act 2004, section 326 and Schedule 42, Part 3.

M2 Section 611A was repealed by the Finance Act 2004, section 326 and Schedule 42, Part 3.

M3 Chapter IV of Part XIV was repealed by the Finance Act 2004, section 326 and Schedule 42, Part 3.

M4 Section 289 was amended by [S.I. 2007/3014](#).

M5 See section 287(6) of the 2004 Act.

M6 See section 1 of the 1993 Act.

2. A personal pension scheme falls within this paragraph if it is not a pension scheme that is—

Status: Point in time view as at 06/04/2018.

Changes to legislation: There are currently no known outstanding effects for the *The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013*. (See end of Document for details)

- (a) either—
 - (i) set up or established in an annuity contract, or
 - (ii) a trust scheme, and
- (b) to be treated as becoming a registered pension scheme under section 153(9) of the Finance Act 2004 in accordance with paragraph 1(1)(f) of Schedule 36 to that Act.

SCHEDULE 2

Regulations 6(2), 7(2), 8(1) and 18(1)

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 scheme and a summary of the categories of persons who are eligible to become members of the scheme.
2. How persons who are eligible to be members of the scheme are admitted to it.
3. A summary of what can be done with a member's accrued rights where the member leaves pensionable service before normal pension age, including whether accrued rights can be transferred out of the scheme, converted into an annuity [^{F1}, designated as available for the payment of drawdown pension] and commuted to a lump sum.

Textual Amendments

F1 Words in Sch. 2 para. 3 inserted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **11(2)**

4. A statement relating to the matters mentioned in paragraph 3—
 - (a) as to whether a charge may be made, and
 - (b) that further information is available on request.

[^{F2}**4A.** Where the member has flexible benefits, a statement explaining the circumstances in which the member may transfer accrued rights to flexible benefits out of the scheme.

Textual Amendments

F2 Sch. 2 paras. 4A, 4B inserted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **11(3)**

4B. [^{F3}Subject to paragraph 4C] where the member has safeguarded benefits (which has the meaning given in section 48(8) of the Pension Schemes Act 2015 (independent advice in respect of conversions and transfers)), a statement that the member may be required to take independent advice before the member may—

- (a) convert any of the safeguarded benefits into different benefits that are flexible benefits under the scheme;

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- (b) transfer safeguarded benefits to another pension scheme with a view to acquiring a right or entitlement to flexible benefits; and
- (c) withdraw an uncrystallised funds pension lump sum (which has the meaning given in paragraph 4A of Schedule 29 to the Finance Act 2004 (uncrystallised funds pension lump sum)).]

Textual Amendments

- F2** Sch. 2 paras. 4A, 4B inserted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **11(3)**
- F3** Words in Sch. 2 para. 4B inserted (6.4.2016) by [The Pension Protection Fund and Occupational and Personal Pension Schemes \(Miscellaneous Amendments\) Regulations 2016 \(S.I. 2016/294\)](#), regs. 1, **10(2)**

[^{F4}**4C.** Paragraph 4B does not apply to a member of an occupational pension scheme that is an unfunded public service defined benefits scheme, unless it is a scheme in relation to which section 95(2A)(a)(i) of the 1993 Act has been disapplied, pursuant to section 95(2B) of that Act (ways of taking right to cash equivalent).]

Textual Amendments

- F4** Sch. 2 para. 4C inserted (6.4.2016) by [The Pension Protection Fund and Occupational and Personal Pension Schemes \(Miscellaneous Amendments\) Regulations 2016 \(S.I. 2016/294\)](#), regs. 1, **10(3)**

5. Whether the scheme is a tax registered scheme or, if not, whether an application for the scheme to become a tax registered scheme is under consideration by the Commissioners for Her Majesty's Revenue and Customs.

6. A statement that explains whether transfers can be made into the scheme, including whether such transfers can be made in accordance with [^{F5}Chapters 1 and 2 of Part 4ZA of the 1993 Act (transfers and contribution refunds)].

Textual Amendments

- F5** Words in Sch. 2 para. 6 substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **11(4)**

7. The arrangements, if any, for the payment by members of additional voluntary contributions.

8. A summary of how the contributions, if any, payable by the employer and the member are calculated.

9. Where the scheme is the National Employment Savings Trust Corporation established under section 75(1) of the Pensions Act 2008 ^{M7}, a statement of the maximum amount, if any, of contributions that may be paid in any tax year in relation to a member of the scheme.

Marginal Citations

- M7** 2008 c.30.

10. A statement that—

Status: Point in time view as at 06/04/2018.

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- (a) the Pensions Advisory Service ^{M8} is available at any time to assist members and beneficiaries with—
 - (i) pensions questions, and
 - (ii) issues they have been unable to resolve with the trustees or managers of the scheme,
- (b) the Pensions Ombudsman ^{M9} may investigate and determine certain complaints or disputes about pensions that are referred to the Ombudsman in accordance with the 1993 Act, and
- (c) the Regulator may intervene in the running of schemes where trustees, managers, employers or professional advisers have failed in their duties.

Marginal Citations

M8 The Pensions Advisory Service is a company limited by guarantee under the [Companies Act 2006 \(c.46\)](#) and its registered number is 2459671.

M9 The Pensions Ombudsman is appointed under section 145(2) of the 1993 Act.

11. The postal and electronic address at which each of the bodies referred to in paragraph 10 may be contacted.

^{F6}**12.**

Textual Amendments

F6 Sch. 2 para. 12 omitted (6.4.2017) by virtue of [The Pensions Act 2014 \(Abolition of Contracting-out for Salary Related Pension Schemes\) \(Consequential Amendments and Savings\) Order 2016 \(S.I. 2016/200\)](#), arts. 1(3), **32**

13. If a member of the scheme has to give a period of notice to terminate their pensionable service, the length of that period of notice.

14. Whether, and if so on what conditions (if any), a member of the scheme, whose pensionable service has terminated before normal pension age, may re-enter pensionable service.

15. The following information about benefits payable under the scheme (referred to in this paragraph as “benefits”)—

- (a) what the benefits are,
- (b) how benefits are calculated,
- (c) how the scheme defines pensionable earnings, if appropriate,
- (d) how and when benefits in payment are increased, if appropriate,
- (e) the rate at which rights to benefits accrue, if appropriate,
- (f) the conditions on which benefits are payable,
- (g) when benefits (including survivor's benefits) are payable.

16. Where the member has money purchase benefits, a statement that the value of the pension will depend on several factors including the amount of the contributions paid^{F7}, any cost of exercising any right to transfer the benefits, any charges payable, the age at which the member accesses the benefits^{F8}, the performance of [F8: investments and any] cost of converting the benefit into an annuity.

Textual Amendments

- F7** Words in Sch. 2 para. 16 inserted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **11(5)(a)**
- F8** Words in Sch. 2 para. 16 substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **11(5)(b)**

[^{F9}**16A.** Where the member has rights to cash balance benefits, a statement that the value of the pension will depend on several factors including the amount of contributions paid^{F10}, any cost of exercising any right to transfer the benefits, any charges payable, the age at which the member accesses the benefits], any guaranteed interest or bonuses [^{F11}applied and any] cost of converting the benefits into an annuity.]

Textual Amendments

- F9** Sch. 2 para. 16A inserted (24.7.2014) by [The Pensions Act 2011 \(Transitional, Consequential and Supplementary Provisions\) Regulations 2014 \(S.I. 2014/1711\)](#), regs. 1(1), **79(6)(a)** (with regs. 6, 41, 44(1), 47(1), 69(2), 72(1), 76(1)); coming into force immediately after s. 29 of 2011 c 19 - see S.I. 2014/1683, art. 2
- F10** Words in Sch. 2 para. 16A inserted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **11(6)(a)**
- F11** Words in Sch. 2 para. 16A substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **11(6)(b)**

17. Except where the scheme is a public service pension scheme, a statement that the scheme annual report will be given on request.

18.—(1) The scheme's internal dispute resolution arrangements.

(2) The postal or electronic address and job title of the person who should be contacted to use those arrangements.

(3) This paragraph does not apply to a scheme within section 50(8) of the 1995 Act ^{M10} (requirement for dispute resolution arrangements).

Marginal Citations

- M10** Section 50 was substituted by the 2004 Act, section 273 and there are no relevant amendments.

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 to in this paragraph as “benefits”)—

- (a) what the benefits are,
- (b) how benefits are calculated,
- (c) how the scheme defines pensionable earnings, if appropriate,
- (d) how and when benefits in payment are increased, if appropriate,

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- (e) the rate at which rights to benefits accrue, if appropriate,
- (f) the conditions on which benefits are payable,
- (g) when benefits (including survivor's benefits) are payable.

20. A statement that explains whether transfers can be made into the scheme, including whether such transfers can be made in accordance with [^{F12}Chapters 1 and 2 of Part 4ZA] of the 1993 Act.

Textual Amendments

F12 Words in Sch. 2 para. 20 substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **11(7)**

21. A summary of what can be done with a member's accrued rights where the member leaves pensionable service before normal pension age, including whether the accrued rights can be transferred out of the scheme, converted into an annuity [^{F13}, designated as available for the payment of drawdown pension] and commuted to a lump sum.

Textual Amendments

F13 Words in Sch. 2 para. 21 inserted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **11(2)**

- 22.** A statement relating to the matters mentioned in paragraph 21—
- (a) as to whether a charge may be made, and
 - (b) that further information is available.

[^{F14}**22A.** Where the member has flexible benefits, a statement explaining the circumstances in which the member may transfer accrued rights to flexible benefits out of the scheme.

Textual Amendments

F14 Sch. 2 paras. 22A, 22B inserted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **11(8)**

22B. [^{F15}Subject to paragraph 22C] where the member has safeguarded benefits (which has the meaning given in section 48(8) of the Pension Schemes Act 2015), a statement that the member may be required to take independent advice before the member may—

- (a) convert any of the safeguarded benefits into different benefits that are flexible benefits under the scheme;
- (b) transfer safeguarded benefits to another pension scheme with a view to acquiring a right or entitlement to flexible benefits; and
- (c) withdraw an uncrystallised funds pension lump sum (which has the meaning given in paragraph 4A of Schedule 29 to the Finance Act 2004).]

Textual Amendments

F14 Sch. 2 paras. 22A, 22B inserted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **11(8)**

F15 Words in Sch. 2 para. 22B inserted (6.4.2016) by [The Pension Protection Fund and Occupational and Personal Pension Schemes \(Miscellaneous Amendments\) Regulations 2016 \(S.I. 2016/294\)](#), regs. 1, **10(4)**

[^{F16}**22C.** Paragraph 22B does not apply to a member of an occupational pension scheme that is an unfunded public service defined benefits scheme, unless it is a scheme in relation to which section 95(2A)(a)(i) of the 1993 Act has been disapplied, pursuant to section 95(2B) of that Act.]

Textual Amendments

F16 Sch. 2 para. 22C inserted (6.4.2016) by [The Pension Protection Fund and Occupational and Personal Pension Schemes \(Miscellaneous Amendments\) Regulations 2016 \(S.I. 2016/294\)](#), regs. 1, **10(5)**

- 23.**—(1) The scheme's internal dispute resolution arrangements.
- (2) The postal or electronic address and job title of the person who should be contacted to use those arrangements.
- (3) This paragraph does not apply to a scheme within section 50(8) of the 1995 Act.

24. A statement that—

- (a) the Pensions Advisory Service is available at any time to assist members and beneficiaries with—
- (i) pensions questions, and
 - (ii) issues they have been unable to resolve with the trustees or managers of the scheme,
- (b) the Pensions Ombudsman may investigate and determine certain complaints or disputes about pensions that are referred to the Ombudsman in accordance with the 1993 Act, and
- (c) the Regulator may intervene in the running of schemes where trustees, managers, employers or professional advisers have failed in their duties.

25. The postal address and electronic address at which each of the bodies referred to in paragraph 24 may be contacted.

[^{F17}**26.** A statement setting out—

- (a) which benefits—
- (i) are provided by means of the setting aside of resources (other than assets at the disposal of the employer of any person who is employed in relevant employment) for a benefit, before the benefit becomes payable, that are related to the intended rate or amount of benefit; and
 - (ii) are not provided by that means; and
- (b) the manner in which any benefits mentioned in sub-paragraph (a)(i) are secured.]

Textual Amendments

F17 Sch. 2 para. 26 substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **11(9)**

27. A statement that most of the provisions of the 1995 Act do not apply to the scheme.

28. Where the member has money purchase benefits, a statement that the value of the pension will depend on several factors including the amount of the contributions paid, the performance of investments and the cost of converting the benefit into an annuity.

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Changes to legislation: There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013. (See end of Document for details)

[^{F18}**28A.** Where the member has rights to cash balance benefits, a statement that the value of the pension will depend on several factors including the amount of contributions paid, any guaranteed interest or bonuses applied and the cost of converting the benefits into an annuity.]

Textual Amendments

F18 Sch. 2 para. 28A inserted (24.7.2014) by [The Pensions Act 2011 \(Transitional, Consequential and Supplementary Provisions\) Regulations 2014 \(S.I. 2014/1711\)](#), regs. 1(1), **79(6)(b)** (with regs. 6, 41, 44(1), 47(1), 69(2), 72(1), 76(1)); coming into force immediately after s. 29 of 2011 c 19 - see S.I. 2014/1683, art. 2

PART 3

Lifestyling

- 29.** A statement explaining lifestyling, its advantages and disadvantages, and either—
- (a) that lifestyling will be adopted, indicating when lifestyling is likely to be adopted, or
 - (b) that lifestyling has been adopted.

SCHEDULE 3

Regulations 11 to 14

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 the scheme is made.
2. The scheme rules.
3. The contents of any document that supplements or alters in any way the information referred to in paragraphs 1 and 2.
4. The name and postal and electronic address of every person who employs any member of the scheme in relevant employment.

PART 2

Information in the annual report etc.

5. A copy of the appropriate audited accounts or auditor's statements prepared and audited in accordance with regulations made under section 41 of the 1995 Act (provision of documents for members).
6. If Part 3 of the 2004 Act applies, a copy of the certificate by the actuary under section 227 of the 2004 Act (schedule of contributions) about the adequacy of the contributions payable towards the scheme.
7. Any of the information listed in Part 5 of this Schedule that applies.

PART 3

Information on funding principles and actuarial valuations etc.

8. The latest statement of funding principles where required under section 223 of the 2004 Act (statement of funding principles).

9. Where Part 3 of the 2004 Act applies to the scheme, a copy of the last actuarial valuation referred to in section 224 of the 2004 Act (actuarial valuations and reports) that the trustees or managers of the scheme have received.

10. Where Part 3 of the 2004 Act applies to the scheme, the latest actuarial report referred to in section 224 of the 2004 Act that the trustees or managers of the scheme have received after the last actuarial valuation.

11. Any recovery plan prepared under section 226 of the 2004 Act (recovery plan) that is currently in force.

12. The latest payment schedule under section 87 of the 1995 Act^{M11} (schedules of payments to money purchase schemes) or the latest schedule of contributions under section 227 of the 2004 Act that relates to the employer of the member.

Marginal Citations

M11 Section 87 was amended by the 2004 Act, sections 319(1) and 320, Schedule 12, paragraph 64 and Schedule 13, Part 1.

13. The latest statement of principles governing decisions about investments where required by section 35 of the 1995 Act^{M12} (investment principles).

Marginal Citations

M12 Section 35 was substituted by the 2004 Act, section 244.

14. A summary of the winding up procedure under section 231A of the 2004 Act^{M13} (requirements for winding up procedure).

Marginal Citations

M13 Section 231A was inserted by [S.I. 2006/1733](#).

PART 4

Information on transfer credits

15. Whether the member or prospective member is entitled to acquire transfer credits in exchange for—

- (a) a specified cash equivalent (within the meaning of [F19Chapter 1 of Part 4ZA], or Chapter 2 of Part 4A, of the 1993 Act)^{M14} (requirements relating to pension credit benefit) provided by another scheme, or
- (b) any transfer payment (within the meaning of [F19Chapter 1 of Part 4ZA], or Chapter 2 of Part 4A, of the 1993 Act) provided by another scheme.

Status: Point in time view as at 06/04/2018.

Changes to legislation: There are currently no known outstanding effects for the *The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013*. (See end of Document for details)

Textual Amendments

F19 Words in Sch. 3 para. 15 substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **12(2)**

Marginal Citations

M14 Part 4A was inserted by the 1999 Act, section 37.

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

PART 5

Information that applies to the scheme

17. The names of the persons who are trustees of the scheme, and in the case of a scheme none of the trustees of which is an individual, the names of the directors of any company that is a trustee, during the scheme year to which the information relates (referred to in this Part as “the year”).

18. The provisions of the scheme in relation to the appointment of trustees and their removal from office and, in the case of a scheme none of the trustees of which is an individual, the provisions in the articles of association of each trustee that relate to the appointment and removal from office of any directors.

19. The names of the professional advisers and of such banks, custodians, and other persons and organisations who have acted for or who have been retained by the trustees during the year, with an indication (except in a case where regulation 12 is complied with by the trustees of a scheme for the first time) of any changes since the previous year.

20. The postal and electronic address to which enquiries about the scheme generally or about an individual's entitlement to benefit should be sent.

21. The number of beneficiaries and active, deferred and pensioner members as at any one date during the year.

22. Except in the case of a money purchase scheme, the percentage increases made (otherwise than in accordance with a legislative requirement) during the year (or, if there have been different increases for different individuals or groups of individuals, the maximum, minimum and average percentage increases) to—

- (a) pensions that were payable, and
- (b) deferred pensions,

with a statement whether the increases were to any extent discretionary.

23. Except in the case of a money purchase scheme that is a wholly insured scheme, the following information—

- (a) where any cash equivalents ^{F20}... (within the meaning of [^{F21}Chapter 1 of Part 4ZA] or Chapter 2 of Part 4A of the 1993 Act) paid during the year were not calculated and verified in the manner prescribed by regulations made under sections 97 or 101I of the 1993 Act ^{M15} (calculation of cash equivalents), as the case may be, a statement explaining why,
- (b) where any of the cash equivalents ^{F20}... paid during the year were less than the amount for which [^{F22}section 94] of the 1993 Act ^{M16} (right to cash equivalent) provides, a statement to that effect together with information as to why they were less,

- (c) a statement of when full values became, or are likely to become, available, and
- (d) a statement whether discretionary benefits are included in the calculation of the transfer values and, if so, the method by which the value of discretionary benefits is assessed.

Textual Amendments

- F20** Words in Sch. 3 para. 23 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, **12(3)(a)**
- F21** Words in Sch. 3 para. 23 substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **12(3)(b)**
- F22** Words in Sch. 3 para. 23 substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **12(3)(c)**

Marginal Citations

- M15** Section 97 was amended by the 1995 Act, section 173 and Schedule 6, paragraph 4(a) to (c) and the Child Support, Pensions and Social Security Act 2000, section 56 and Schedule 5, paragraph 8(1). Section 101I was inserted by the 1999 Act, section 37.
- M16** Section 94(1) was amended by the 1995 Act, section 154(1) and (2).

24. A statement as to whether the accounts have been prepared and audited in accordance with regulations made under section 41(1) and (6) of the 1995 Act (unless the scheme is exempt from such requirements by virtue of those regulations).

25. If the auditor's statement made in accordance with regulations made under section 41(1)(a) and (2)(b) of the 1995 Act is negative or qualified, an account of the reasons why and a statement as to how the situation has been or is likely to be resolved.

26. If such situation as is mentioned in paragraph 25 in respect of a previous scheme year was not resolved in a previous year, a statement as to how it has been or is likely to be resolved.

27. Who has managed the investments of the scheme during the year and the extent of any delegation of this function by the trustees.

28. Whether the trustees have produced a statement of the principles governing decisions about investments for the purposes of the scheme in accordance with section 35 of the 1995 Act ^{M17} (investment principles) (unless the scheme is exempt from such requirement by virtue of regulations made under that section) and, where the trustees have produced such a statement, a statement that a copy is available on request.

Marginal Citations

- M17** Section 35 was substituted by the 2004 Act, section 244.

29. Except in relation to a wholly insured scheme, a statement as to the trustees' policy on the custody of the scheme assets.

30. Where the scheme is one to which section 35 of the 1995 Act applies, an investment report containing—

- (a) a statement by the trustees or the fund manager providing details of any investments made for the scheme during the year that were not made in accordance with the statement of investment principles governing decisions about investments required under section 35 of the 1995 Act,

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- (b) where investments for the scheme have been made in the year that do not accord with the statement of investment principles governing decisions about investments required under section 35 of the 1995 Act (or were made in a previous year and continued to be held at the end of the year), a statement by the trustees or the fund manager giving the reasons why and explaining what action, if any, it is proposed to take or has already been taken to remedy the position,
- (c) a review of the investment performance of the scheme's fund—
 - (i) during the year, and
 - (ii) except where the scheme has existed for less than three scheme years, during a period of not less than 3 and not more than 5 scheme years ending with the year, including an assessment of the nature, disposition, marketability, security and valuation of the scheme's assets,
- (d) the trustees' policy (if any) in relation to the rights (including voting rights) attaching to investments, and
- (e) the extent (if at all) to which social, environmental or ethical considerations are taken into account in the selection, retention and realisation of investments.

31. A copy of any statement made on the resignation or removal of the auditor or actuary and made in accordance with regulations made under section 47(6) of the 1995 Act (professional advisors).

32. Except where the scheme is a trust scheme that applies to earners in employments under different employers, where the scheme has employer-related investments (within the meaning of section 40(2) of the 1995 Act ^{M18} (restriction on employer-related investments)), a statement—

- (a) as to the percentage of the scheme's resources invested in such investments at the end of the year,
- (b) if that percentage exceeds 5%, as to the percentage of the scheme's resources that are investments to which regulation 13 of the Occupational Pension Schemes (Investment) Regulations 2005 ^{M19} (investments to which restrictions do not apply) applies, and
- (c) if any resources of the scheme are invested in contravention of subsection (1) of section 40 of the 1995 Act—
 - (i) as to the steps the trustees or managers of the scheme have taken or propose to take to secure that the scheme complies with that section, and
 - (ii) as to the time when any proposed steps will be taken.

Marginal Citations

M18 Section 40 was amended by the 2004 Act, section 319(1) and Schedule 12, paragraphs 34 and 51 and [S.I. 2004/355](#).

M19 [S.I. 2005/3378](#).

33.—(1) Where the scheme is a trust scheme that applies to earners in employments under different employers, a statement in accordance with paragraph 32 or a statement—

- (a) listing the 100 largest investments by value held by the scheme as at the end of the year and stating what percentage of the resources of the scheme each such investment represents,
- (b) identifying which of the investments referred to in paragraph (a) are employer-related investments, and

- (c) if, as at the end of the year, more than 5% of the resources of the scheme are invested in employer-related investments in contravention of section 40(1) of the 1995 Act in relation to a particular employer—
- (i) listing the employer-related investments and the name of the employer concerned,
 - (ii) as to the steps the scheme has taken or proposes to take to ensure that the percentage is reduced to 5% or less, and
 - (iii) as to the time when any proposed steps will be taken.

(2) In sub-paragraph (1) “employer-related investments” has the same meaning as in subsection (2) of section 40 of the 1995 Act but as if the following words in subsection (2) were omitted—

- (a) in paragraph (a) “or by any person who is connected with, or an associate of, the employer”, and
- (b) “or any such person” in each place where they occur.

[^{F23}34. Where the scheme is a relevant scheme within the meaning of the Occupational Pension Schemes (Scheme Administration) Regulations 1996, the statement which the trustees or managers are required to prepare by regulation 23 of those Regulations (annual statement regarding governance).]

Textual Amendments

F23 Sch. 3 para. 34 inserted (6.4.2015) by [The Occupational Pension Schemes \(Charges and Governance\) Regulations 2015 \(S.I. 2015/879\)](#), regs. 1(2), **17(2)**

SCHEDULE 4

Regulation 15(1)

Summary funding statements

1. A summary that—
 - (a) explains the extent to which the assets of the scheme are adequate to cover its technical provisions, and
 - (b) is based on—
 - (i) the last actuarial valuation under section 224 of the 2004 Act received by the trustees or managers of the scheme, and
 - (ii) any actuarial report under that provision they have received since that actuarial valuation.
2. In the case of the first summary funding statement issued in respect of the scheme, an explanation of the changes in the funding position of the scheme since—
 - (a) the last actuarial valuation of the scheme under section 224(1)(a) of the 2004 Act, or
 - (b) if no such valuation was obtained, the last actuarial valuation under the scheme rules.
3. In the case of any subsequent summary funding statement, an explanation of any change in the funding position of the scheme since the date of the previous summary funding statement.
4. The actuary's estimate of solvency contained in the last actuarial valuation under section 224 of the 2004 Act received by the trustees or managers of the scheme.

Status: Point in time view as at 06/04/2018.

Changes to legislation: There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013. (See end of Document for details)

5. A summary of any recovery plan prepared under section 226 of the 2004 Act that is currently in force.
6. A statement explaining—
 - (a) whether the scheme has been modified under section 231(2)(a) of the 2004 Act,
 - (b) whether the scheme is subject to directions by the Regulator under section 231(2)(b) of the 2004 Act, and
 - (c) whether the scheme is bound by a schedule of contributions imposed by the Regulator under section 231(2)(c) of the 2004 Act.
7. Where there has been a modification, directions or a schedule of contributions referred to in paragraph 6, a summary of the circumstances in which they were made.
8. A statement explaining whether any payment to the employer under section 37 of the 1995 Act ^{M20} (payment of surplus to employer) has been made—
 - (a) in the case of the first summary funding statement issued in respect of the scheme, in the 12 months before the date on which that statement is prepared, and
 - (b) in the case of any subsequent summary funding statement issued in respect of the scheme, since the date of the last such statement.

Marginal Citations

M20 Section 37 was substituted by the 2004 Act, section 250 and amended by the Pensions Act 2008, section 130.

9. Where a payment referred to in paragraph 8 has been made, the amount of that payment.

SCHEDULE 5

Regulation 16(2)

Statements of benefits: non money purchase benefits

PART 1

Information for active members

1. The amount of any benefits (and how they are calculated) that would be payable on a date specified by the trustees or managers of the scheme if the member of the scheme were to die in service.
2. One of the following amounts, chosen by the trustees or managers of the scheme, of the member's benefits and survivors' benefits calculated without regard to possible increases in the member's salary—
 - (a) the amounts that would be payable from the date benefits are payable if pensionable service were to end on a date specified by the trustees or managers of the scheme,
 - (b) the amounts that would be payable from the date benefits are payable if pensionable service were to end on the member attaining normal pension age, or
 - (c) the amounts that would be payable from the date benefits are payable if pensionable service were to end on a date agreed between the member and the trustees or managers of the scheme.

3. The amount of the member's pensionable remuneration on a date specified by the trustees or managers of the scheme.

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 and any survivors' 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 from the date benefits are payable.
9. The amount of the member's pensionable remuneration on the date pensionable service ended.

PART 4

Information for pension credit members

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

SCHEDULE 6

Regulation 17

Statements of benefits: money purchase benefits [^{F24}and cash balance benefits]

Textual Amendments

- F24** Words in Sch. 6 heading inserted (24.7.2014) by [The Pensions Act 2011 \(Transitional, Consequential and Supplementary Provisions\) Regulations 2014](#) (S.I. 2014/1711), regs. 1(1), **79(7)** (with regs. 6, 41, 44(1), 47(1), 69(2), 72(1), 76(1)); coming into force immediately after s. 29 of 2011 c 19 - see S.I. 2014/1683, art. 2

Status: Point in time view as at 06/04/2018.

Changes to legislation: There are currently no known outstanding effects for the *The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013*. (See end of Document for details)

PART 1

Information for all money purchase members

1. The amount of contributions (before any deductions are made) credited to the member under the scheme during—

- (a) in the case of an occupational pension scheme—
 - (i) the immediately preceding scheme year, and
 - (ii) the scheme year mentioned in regulation 17(9)(a) if—
 - (aa) contributions have been credited during that year, and
 - (bb) the information relating to that year has not been given, and
- (b) in the case of a personal pension scheme, the 12 months immediately preceding a date specified by the managers of the scheme.

^{F25}2. Where an occupational pension scheme was a contracted-out scheme at any time before the abolition date—

- (a) the date of birth used in determining the appropriate age-related percentage for the purposes of section 42A of the 1993 Act (reduced rate of Class 1 contributions, and rebates),
- (b) the name and postal or electronic address of a person who can be contacted if the date of birth is incorrect, and
- (c) the amount of the contributions referred to in paragraph 1 paid to the scheme in respect of the member during the scheme years referred to in that paragraph which is attributable to—
 - (i) the minimum payments made by the member’s employer,
 - (ii) any payments made by the Secretary of State in accordance with section 7(1) of the Social Security Act 1986 (schemes becoming contracted-out between 1986 and 1993),
 - (iii) any age-related payments made by the Secretary of State in accordance with section 42A(3) of the 1993 Act.

Textual Amendments

F25 Sch. 6 paras. 2, 3 ceased to have effect (6.4.2014) by virtue of [The Occupational and Personal Pension Schemes \(Disclosure of Information\) Regulations 2013 \(S.I. 2013/2734\)](#), reg. 1(1)(2)(a)

^{F25}3.—(1) Where a personal pension scheme was an appropriate scheme at any time before the abolition date—

- (a) the date of birth used in determining the appropriate age-related percentage for the purposes of section 45(1) of the 1993 Act (amount of minimum contributions),
- (b) the name and postal or electronic address of any person who can be contacted if the date of birth is incorrect, and
- (c) the amount of the minimum contributions paid by the Secretary of State in respect of the member during the 12 months preceding a specified date that are attributable to section 45(1) of the 1993 Act identifying separately that part of the contributions that is attributable to tax relief on the employee’s share of minimum contributions, being the difference between that share and the grossed-up equivalent of that share.

(2) In sub-paragraph (1)(c), the expressions “employee’s share” and “grossed-up equivalent” have the meanings given to them by section 202(3) and (4) of the Finance Act 2004 (minimum contributions under pensions legislation).

Textual Amendments

F25 Sch. 6 paras. 2, 3 ceased to have effect (6.4.2014) by virtue of [The Occupational and Personal Pension Schemes \(Disclosure of Information\) Regulations 2013 \(S.I. 2013/2734\)](#), reg. 1(1)(2)(a)

4. The value of the member's accrued rights under the scheme at a date specified by the trustees or managers of the scheme.

5. Any cash equivalent in respect of the transfer of the member's rights mentioned in paragraph 4 that would be different from the values to be specified, at the date specified, under that paragraph, calculated in accordance with—

- (a) sections 97 and 101I of the 1993 Act (calculation of cash equivalents), in the case of an occupational pension scheme, or
- (b) regulations 3 and 4 of the Personal Pension Schemes (Transfer Values) Regulations 1987^{M21} (calculation, verification and increases of cash equivalents), in the case of a personal pension scheme.

Marginal Citations

M21 [S.I. 1987/1112](#). Regulations 3 and 4 were substituted by [S.I. 2008/1050](#).

[^{F26}**5B**. In relation to the information that must be published on a website in accordance with regulation 29A(2) (publishing charges and transaction costs)—

- (a) the information specified in sub-paragraphs (a) to (d) of regulation 27(2) (provision of information on a website); and
- (b) a statement explaining the circumstances in which the information will be provided on request in hard copy form.]

Textual Amendments

F26 Sch. 6 para. 005B inserted (coming into force in accordance with reg. 1(1)(3) of the amending S.I.) by [The Occupational Pension Schemes \(Administration and Disclosure\) \(Amendment\) Regulations 2018 \(S.I. 2018/233\)](#), reg. 3(8)

PART 2

Pension illustration

6.—(1) [^{F27}For money purchase benefits,] an illustration of the amount of the pension—

- (a) that is calculated in accordance with paragraphs 7 and 8,
- (b) an entitlement to which would be likely to accrue to the member, or be capable of being secured by the member, at the member's retirement date, and
- (c) in respect of rights to money purchase benefits that may arise under the scheme.

Status: Point in time view as at 06/04/2018.

Changes to legislation: There are currently no known outstanding effects for the *The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013*. (See end of Document for details)

Textual Amendments

F27 Words in Sch. 6 para. 6(1) inserted (24.7.2014) by [The Pensions Act 2011 \(Transitional, Consequential and Supplementary Provisions\) Regulations 2014 \(S.I. 2014/1711\)](#), regs. 1(1), **79(8)(a)** (with regs. 6, 41, 44(1), 47(1), 69(2), 72(1), 76(1)); coming into force immediately after s. 29 of 2011 c 19 - see S.I. 2014/1683, art. 2

[^{F28}**6A.** For cash balance benefits, an illustration of the amount of the pension calculated—

- (a) in accordance with paragraph 7(1)(a)(ii) and (2);
- (b) in accordance with the rules of the scheme; and
- (c) where appropriate, in a manner consistent with the relevant guidance,

that is likely to be secured by the member at the member's normal pension age in respect of the member's rights to cash balance benefits that have arisen or may arise under the scheme.]

Textual Amendments

F28 Sch. 6 para. 6A inserted (24.7.2014) by [The Pensions Act 2011 \(Transitional, Consequential and Supplementary Provisions\) Regulations 2014 \(S.I. 2014/1711\)](#), regs. 1(1), **79(8)(b)** (with regs. 6, 41, 44(1), 47(1), 69(2), 72(1), 76(1)); coming into force immediately after s. 29 of 2011 c 19 - see S.I. 2014/1683, art. 2

7.—(1) The amount referred to in paragraph 6 must be calculated—

- (a) by reference to—
 - (i) the relevant guidance, and
 - (ii) the assumptions listed in paragraph 8,
- (b) having regard to the value of the member's accrued rights to money purchase benefits under the scheme on the illustration date.

(2) For the purposes of paragraph 6, the calculation of the amount of the pension may take account of a lump sum.

8.—(1) The assumptions are—

- (a) where the calculation relates to the rights of a non-contributing member, that no contributions will be made to the scheme by the member, or on the member's behalf, after the illustration date, or
- (b) in any other case, that until the member's retirement date—
 - (i) contributions to the scheme will be made by the member or on the member's behalf, and
 - (ii) the scheme will maintain its tax registration under section 153 of the Finance Act 2004.

(2) In this paragraph “non-contributing member” means a member in respect of whom no further contributions to the scheme are due or expected after the illustration date.

9. A statement that the information given under this Part is given only for the purposes of illustration and that it does not represent any promise or guarantee as to the amount of benefit that may be receivable by the member or a beneficiary of the scheme under the scheme.

10. A statement of how the person to whom the information given under this Part relates may obtain from the trustees or managers of the scheme further details about that information.
11. A statement that general assumptions have been made.
12. A statement that any amounts in the information given under this Part are expressed in today's prices.
13. The member's retirement date used for the purposes of the information given under this Part.
14. The illustration date used for the purposes of the information given under this Part.

PART 3

Further information to be given on pension illustration

15. A statement that—
 - (a) assumptions have been made about the nature of the investments made for the purposes of the member's money purchase benefits and their likely performance, and
 - (b) those assumptions may not correspond with the investments actually made for those purposes or their actual performance.
16. A statement that the amount of any pension payable under the scheme to or in respect of the member will depend on considerations (including the performance of investments and the cost of buying an annuity at the time the pension becomes payable) which may be different from any assumptions made.
- [^{F29}16A. A statement that the amount of any pension payable under the scheme to or in respect of the member will depend on considerations (including the cost of buying an annuity at the time the pension becomes payable) which may be different from any assumptions made.]

Textual Amendments

F29 Sch. 6 para. 16A inserted (24.7.2014) by [The Pensions Act 2011 \(Transitional, Consequential and Supplementary Provisions\) Regulations 2014 \(S.I. 2014/1711\)](#), regs. 1(1), **79(8)(c)** (with regs. 6, 41, 44(1), 47(1), 69(2), 72(1), 76(1)); coming into force immediately after s. 29 of 2011 c 19 - see S.I. 2014/1683, art. 2

17. A statement of any—
 - (a) assumptions made relating to future contributions to the scheme,
 - (b) assumptions made relating to the lump sum, the level of increases in the pension and the pension payable to the spouse or civil partner, and
 - (c) changes to the assumptions mentioned in sub-paragraph (b) that were used for the previous information given under paragraph 6 of this Schedule.

Status: Point in time view as at 06/04/2018.

Changes to legislation: There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013. (See end of Document for details)

SCHEDULE 7

Regulations [F3018A] to 22 and 25(2)

Information to be given by schemes that relates to accessing benefits

Textual Amendments

F30 Word in Sch. 7 substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **13(2)**

PART 1

Information to be given to persons having an opportunity to select an annuity

1. A statement that the person has an opportunity to select an annuity.
2. A statement that the person has an opportunity to select the provider of the annuity.
3. A statement that different annuities have different features and different rates of payment including annuities that provide—
 - (a) the same payments every year,
 - (b) increasing payments every year,
 - (c) payments only for the person,
 - (d) payments for the person's spouse or civil partner,
 - (e) a guarantee on the early death of the person.
4. Either—
 - (a) an explanation of the characteristic features of the annuities referred to in paragraph 3, or
 - (b) a copy of guidance giving that explanation that has been prepared or approved by the Regulator.
5. A statement that the person should consider taking advice about which annuity is most suitable for them.

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 to make the payments, and
 - (b) any provisions which would allow the payments to be altered.
8. Any rights and options that persons have on the death of the member or beneficiary of the scheme.
9. Any procedures for exercising the rights and options referred to in paragraph 8.
10. The provisions (or, as the case may be, a statement that there are no provisions) under which the pension payable to the survivor of a member or beneficiary of the scheme may or will be increased and the extent to which such increases are dependent on the exercise of a discretion.

[^{F31}Part 3

Information to be Given to Members Having an Opportunity to Transfer Flexible Benefits

Textual Amendments

F31 Sch. 7 Pt. 3 inserted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **13(3)**

- 11.** A statement that the member has an opportunity to transfer flexible benefits to one or more different pension providers.
- 12.** A statement that different pension providers offer different options in relation to what the member can do with the flexible benefits, including the option to select an annuity.
- 13.** A statement that different options have different features, different rates of payment, different charges and different tax implications.
- 14.** Either—
 - (a) a copy of guidance that explains the characteristic features of the options referred to in paragraph 13 that has been prepared or approved by the Regulator; or
 - (b) a statement that gives materially the same information as that guidance.]

SCHEDULE 8

Regulations 23(3), 24(2) and 25(2)

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 ^{M22} (circumstances in which following provisions apply) applies, a statement that at least one of the trustees of the scheme are required to be an independent person by section 23 of that Act ^{M23}.

Marginal Citations

M22 Section 22 was amended by the 2004 Act, sections 36(1) and (2), 319(1) and 320, Schedule 12, paragraphs 34 and 40 and Schedule 13, Part 1 and [S.I. 2009/1941](#).

M23 Section 23 was substituted by the 2004 Act, section 36(4).

- 4.** In the case of active members, whether death in service benefits will continue to be payable.
- 5.** A summary of the action that is being taken, and that has been taken, to—
 - (a) establish the scheme's liabilities, and

Status: Point in time view as at 06/04/2018.

Changes to legislation: There are currently no known outstanding effects for the *The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013*. (See end of Document for details)

- (b) recover any assets.
- 6. An estimate of when—
 - (a) the scheme's liabilities are likely to be established, and
 - (b) any assets are likely to be recovered.
- 7. Either—
 - (a) an indication of the extent to which (if at all) the actuarial value of accrued rights or benefits are likely to be reduced, or
 - (b) a statement that there is insufficient information to provide such an indication.

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 scheme's resources are not sufficient to meet its liabilities.
- 9. The amount of any reduction of the member's, or beneficiary's, benefits.
- 10. Who has or will become liable for the payment of the member's, or beneficiary's, benefits.

PART 3

Information to be given by personal pension schemes after winding up

- 11.—(1) The amount of—
 - (a) contributions (before the making of any deductions), including a nil amount, credited to the member under the scheme during the period of 12 months preceding a date specified by the managers of the scheme, and
 - ^{F32}(b) where the scheme was, at any time before the abolition date, an appropriate scheme the minimum contributions paid by the Secretary of State in respect of the member in that 12 month period that is attributable to section 45(1) of the 1993 Act identifying separately that part of the contributions that is attributable to tax relief on the employee's share of minimum contributions, being the difference between that share and the grossed-up equivalent of that share.
- ^{F33}(2) In sub-paragraph (1)(b) the expressions “employee’s share” and “grossed-up equivalent” have the meanings given to them by section 202(3) and (4) of the Finance Act 2004 (minimum contributions under pensions legislation).

Textual Amendments

- F32** Sch. 8 para. 11(1)(b) ceased to have effect (6.4.2014) by virtue of [The Occupational and Personal Pension Schemes \(Disclosure of Information\) Regulations 2013 \(S.I. 2013/2734\)](#), reg. 1(1)(2)(b)
- F33** Sch. 8 para. 11(2) ceased to have effect (6.4.2014) by virtue of [The Occupational and Personal Pension Schemes \(Disclosure of Information\) Regulations 2013 \(S.I. 2013/2734\)](#), reg. 1(1)(2)(b)

- 12. At a date specified by the managers of the scheme —
 - (a) the value of the member's accrued rights under the scheme, and

(b) if different, the value of the cash equivalent calculated in accordance with regulations 3 and 4 of the Personal Pension Schemes (Transfer Values) Regulations 1987.

13. The options available to a member for preserving, transferring or otherwise disposing of the member's accrued rights under the scheme.

14. An account of the amount by which the member's accrued rights have been reduced and of the action taken by the managers of the scheme, or which is open to the member to take, in order, so far as may be possible, to restore the value of the member's accrued rights under the scheme.

PART 4

Report under section 72A of the 1995 Act

15. Where a report has been made to the Regulator under section 72A of the 1995 Act^{M24} (reports about winding up), a copy of that report.

Marginal Citations

M24 Section 72A was inserted by the Child Support, Pensions and Social Security Act 2000, section 49(1).

PART 5

Information on expected benefits

16. An estimate of the amount of the member's and beneficiary's benefits that are expected to be payable from normal pension age or death.

SCHEDULE 9

Regulation 1(4)

Amendments to Regulations

The Occupational Pension Schemes (Preservation of Benefit) Regulations 1991

1.—(1) The Occupational Pension Schemes (Preservation of Benefit) Regulations 1991^{M25} are amended as follows.

(2) After regulation 1(3)^{M26} (interpretation) add—

“(4) Any information or documents required to be furnished under these Regulations to a person, may be given in accordance with regulations 26 to 28 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (giving information and documents).”.

(3) In regulation 9(6)(c)^{M27} (bought out benefits), for “at his last known address” substitute “ in accordance with regulations 26 to 28 (giving information and documents) of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 ”.

Marginal Citations

M25 [S.I. 1991/167](#).

Status: Point in time view as at 06/04/2018.

Changes to legislation: There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013. (See end of Document for details)

- M26** Paragraph (3) was substituted by [S.I. 1996/2131](#) and amended by [S.I. 2013/459](#).
M27 Regulation 9(6) was amended by [S.I. 1994/1062](#) and 2011/1246.

The Occupational Pension Schemes (Contracting-out) Regulations 1996

2. In regulation 3(3) of the Occupational Pension Schemes (Contracting-out) Regulations 1996^{M28} (notices by employers of intended election)—

(a) for sub-paragraph (a)(i), substitute—

“(i) sending it to the earner in accordance with regulations 26 to 28 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (giving information and documents),

(ia) delivering it to the earner, or”,

(b) for sub-paragraph (b), substitute—

“(b) to any other person, by—

(i) sending it to that person in accordance with regulations 26 to 28 (giving information and documents) of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013, or

(ii) delivering it to that person.”.

Marginal Citations

M28 [S.I. 1996/1172](#).

The Occupational Pension Schemes (Transfer Values) Regulations 1996

3. After regulation 11(6) of the Occupational Pension Schemes (Transfer Values) Regulations 1996^{M29} (disclosure), add—

“(7) The trustees may provide any information or notification under this regulation in accordance with regulations 26 to 28 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (giving information and documents).”.

Marginal Citations

M29 [S.I. 1996/1847](#). Regulation 11 was amended by [S.I. 2005/72](#), 2008/1050 and 2009/615.

The Occupational Pension Schemes (Requirement to obtain Audited Accounts and a Statement from the Auditor) Regulations 1996

4.—(1) The Occupational Pension Schemes (Requirement to obtain Audited Accounts and a Statement from the Auditor) Regulations 1996^{M30} are amended as follows.

(2) In regulation 2 (requirement of trustees or managers to obtain documents), after paragraph (2) insert—

“(2AA) Information may be made available under paragraph (2) in accordance with regulations 26 to 28 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (giving information and documents).”.

(3) The Schedule (contents of accounts audited by the auditor of the scheme) is amended as follows—

Status: Point in time view as at 06/04/2018.

Changes to legislation: There are currently no known outstanding effects for the *The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013*. (See end of Document for details)

- (a) at the beginning of paragraph 5^{M31} insert “ Except in relation to a trust scheme that applies to earners in employments under different employers, ”, and
- (b) after paragraph 5 insert—

“**5A.**—(1) Where the scheme is a trust scheme that applies to earners in employments under different employers, a statement in accordance with paragraph 5 or a statement—

- (a) listing the 100 largest investments by value held by the scheme at the end of the scheme year and stating what percentage of the resources of the scheme each such investment represents;
- (b) identifying which of the investments mentioned in paragraph (a) are employer-related investments;
- (c) if, as at the end of the scheme year, more than 5 per cent of the resources of the scheme are invested in employer-related investments in contravention of section 40(1) of the Pensions Act 1995, listing the employer-related investments and the employer concerned.

(2) In sub-paragraph (1) “employer-related investments” has the meaning as in section 40(2) of the Pensions Act 1995 but as if the following words were omitted from subsection (2)—

- (a) in paragraph (a) “or by any person who is connected with, or an associate of, the employer”; and
- (b) “or any such person” in each place where they occur.”.

Marginal Citations

M30 [S.I. 1996/1975](#).

M31 Paragraph 5 was substituted by [S.I. 1997/3038](#), amended by [S.I. 2006/778](#) and modified in relation to the National Employment Savings Trust by [S.I. 2011/673](#).

The Occupational Pension Schemes (Winding Up) Regulations 1996

5.—(1) The Occupational Pension Schemes (Winding Up) Regulations 1996^{M32} are amended as follows.

(2) After regulation 7(10) (requirements applicable to notices of discharge under regulation 6), insert—

“(11) A discharge notice and any notice under paragraph (3) may be given in accordance with regulations 26 to 28 (giving information and documents) of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013.”.

(3) In regulation 11(2) (records and information), after “in writing” insert “ in accordance with regulations 26 to 28 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (giving information and documents) ”.

Marginal Citations

M32 [S.I. 1996/3126](#).

Status: Point in time view as at 06/04/2018.

Changes to legislation: There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013. (See end of Document for details)

The Occupational Pension Schemes (Discharge of Liability) Regulations 1997

6. In regulation 6(5)(b)(ii) of the Occupational Pension Schemes (Discharge of Liability) Regulations 1997 ^{M33} (further conditions on which liability may be discharged), for “at her or his last known address” substitute “ in accordance with regulations 26 to 28 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (giving information and documents) ”.

Marginal Citations

M33 [S.I. 1997/784](#). Regulation 6(5) was amended by [S.I. 2005/2050](#).

The Pensions on Divorce etc. (Provision of Information) Regulations 2000

7. After regulation 10 of the Pensions on Divorce etc. (Provision of Information) Regulations 2000 ^{M34} (provision of information after receipt of an earmarking order) add—

“Provision of information

11.—(1) Subject to paragraph (2) a person required to provide information under regulation 2, 4, 6, 7, 8 or 10 must provide that information in accordance with regulations 26 to 28 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (giving information and documents).

(2) Information may be provided to the court by means of an electronic communication only where the court has given its permission.

(3) In this regulation “electronic communication” has the meaning given by the Electronic Communications Act 2000.”.

Marginal Citations

M34 [S.I. 2000/1048](#). There are no relevant amendments.

The Pension Sharing (Pension Credit Benefit) Regulations 2000

8.—(1) The Pension Sharing (Pension Credit Benefit) Regulations 2000 ^{M35} are amended as follows.

(2) In regulation 8(6)(a) (bought out benefits) for “sent to that person at his last known address” substitute “ given in accordance with regulations 26 to 28 (giving information and documents) of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 ”.

(3) In regulation 10(5)(a) (transfer of a person's pension credit rights without consent) for “sent to that person at his last known address” substitute “ given in accordance with regulations 26 to 28 (giving information and documents) of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 ”.

(4) In regulation 15(5)(b) (further conditions on which liability may be discharged) for “sent to that person at his last known address” substitute “ given in accordance with regulations 26 to 28 (giving information and documents) of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 ”.

Marginal Citations

M35 S.I. 2000/1054. There are no relevant amendments.

The Stakeholder Pension Schemes Regulations 2000

- 9.—(1) The Stakeholder Pension Schemes Regulations 2000^{M36} are amended as follows.
- (2) In regulation 1(3) (interpretation)—
- (a) in the definition of “illustration date” for “18(2A)” substitute “ 18A(2) ”,
 - (b) in the definition of “non-contributing member”—
 - (i) omit paragraph (a), and
 - (ii) in paragraph (b) omit “in relation to a personal pension scheme,”,
 - (c) for the definition of “the relevant guidance” substitute—
““relevant guidance” means the document entitled “AS TM1: Statutory Money Purchase Illustrations” that is adopted or prepared, and from time to time revised, by the Financial Reporting Council Limited;”, and
 - (d) in the definition of “retirement date” for “18(2A)” in each place where it appears substitute “ 18A(2) ”.
- (3) In regulation 18(7) (disclosure of information to members)—
- (a) after sub-paragraph (a) insert “ and ”,
 - (b) after sub-paragraph (b)(ii) omit “and”, and
 - (c) omit sub-paragraph (c).
- (4) In regulation 18A—
- (a) in paragraph (1) at the beginning insert “ Subject to paragraph (1A) ”,
 - (b) after paragraph (1) insert—
 - “(1A) The information mentioned in paragraph (1) need not but may, nevertheless, be given in respect of a statement year where—
 - (a) the statement year is the first to end on or after the date the person became a member of the scheme; and
 - (b) the end of that statement year falls at a time when—
 - (i) no contributions have been credited to the scheme in respect of the person;
or
 - (ii) the person has the right to opt out of the scheme under section 8 of the Pensions Act 2008 (jobholder's right to opt out).
- (1B) Where—
- (a) the information is not provided to the person by virtue of paragraph (1A); and
 - (b) contributions have been credited in respect of the member in respect of the statement year mentioned in paragraph (1A)(a),
- it must be provided no later than the information that relates to the next following statement year.”,
- (c) after paragraph (2) insert—
 - “(2A) For the purposes of paragraph (2), the calculation of the amount of the pension mentioned in paragraph (2) may take account of a lump sum.”, and

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Changes to legislation: There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013. (See end of Document for details)

- (d) in paragraph (4)—
 - (i) after sub-paragraph (c) insert “ or ”,
 - (ii) after sub-paragraph (d) omit “or”, and
 - (iii) omit sub-paragraph (e).
- (5) In regulation 18B—
 - (a) in paragraph (1)(b) omit the words from “of this regulation” to “relevant guidance”, and
 - (b) omit paragraphs (3) and (4).
- (6) In regulation 18C (service of information by a scheme) for paragraph (4) substitute—
 - “(4) Where—
 - (a) a member or beneficiary was a member or beneficiary of the scheme on 1st December 2010; and
 - (b) relevant information was not given by the trustees or managers of the scheme before that date by the methods described in paragraph (1)(b),relevant information may not be furnished or given to the member or beneficiary in accordance with paragraph (1)(b) unless the trustees or managers of the scheme have given them the written notice referred to in paragraph (5).
 - (4A) The written notice mentioned in paragraph (4) must not be given by the methods mentioned in paragraph (1)(b).”.
- (7) In regulation 18E (provision of information on a website)—
 - (a) in paragraph (1) for “this regulation sets” substitute “ this regulation and regulation 18F set ”,
 - (b) for paragraph (2) substitute—
 - “(2) When a website is used for the first time to make available relevant information, a notification must be given to the recipient.”,
 - (c) for paragraph (4) substitute—
 - “(4) Subject to regulation 18F, each time a website is used at a subsequent time to make available information or documents, a notification must be given to the recipient.
 - (4A) The notification referred to in paragraph (4) must state that the information or document is available on the website.
 - (4B) The notifications mentioned in paragraphs (2) and (4) must not be given by making them available on a website.”,
 - (d) omit paragraph (6), and
 - (e) in paragraph (7) after “this regulation” insert “ and regulation 18F ”.
- (8) After regulation 18E insert—

“Provision of information on a website: supplemental

18F.—(1) The notification mentioned in regulation 18E(4) need not be given where paragraphs to (4) are satisfied.

- (2) This paragraph is satisfied where—
 - (a) the trustees or managers of the scheme have given the recipient at least two documents by either of the following methods—
 - (i) given by hand, or
 - (ii) sent to the recipient's last known postal address, and

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- (b) each of those documents—
 - (i) asks the recipient to give their electronic address to the trustees or managers of the scheme except where the trustees or managers of the scheme do not have the facility for sending information or documents to that address, and
 - (ii) states that the recipient may request in writing that information or documents are not given by means of an electronic communication.
- (3) This paragraph is satisfied where—
 - (a) paragraph (2) is satisfied, and
 - (b) the trustees or managers of the scheme have given the recipient, by either of the methods mentioned in paragraph (2)(a), a further document that—
 - (i) meets the requirements of paragraph (2)(b), and
 - (ii) states that further information and documents will be available to read on the website and that no further notifications will be sent to the recipient.
- (4) This paragraph is satisfied where—
 - (a) paragraphs (2) and (3) are satisfied, and
 - (b) the trustees or managers of the scheme—
 - (i) do not know the recipient's electronic address or do not have the facility for sending information or documents to that address, and
 - (ii) have not received a written request that information or documents are not given to the recipient by means of an electronic communication.
- (5) Where the information to be made available is that required by regulation 18A(1), the notification referred to in regulation 18E(4) need only be given as required by regulation 18A(1).”.
- (9) In paragraph 6 of Schedule 3 (information for members)—
 - (a) after sub-paragraph (c) omit “and”, and
 - (b) for sub-paragraph (d) substitute—
 - “(d) a statement of any assumptions made relating to the lump sum, the level of increases in the pension and the pension payable to the spouse or civil partner, and
 - (e) a statement of any changes to the assumptions mentioned in sub-paragraph (d) that were used for the previous information given under regulation 18A(2).”.

Marginal Citations

M36 [S.I. 2000/1403](#). Regulations 18A to 18E were inserted by [S.I. 2010/2659](#). Paragraph 6(d) of Schedule 3 was amended by [S.I. 2011/1245](#). The definition of “illustration date” was inserted by [S.I. 2002/1381](#) and amended by [S.I. 2010/2659](#). The definition of “non-contributing member” was inserted by [S.I. 2002/1383](#). The definition of “retirement date” was inserted by [S.I. 2002/1383](#) and amended by [S.I. 2010/2659](#).

The Personal Pension Schemes (Payments by Employers) Regulations 2000

10. After regulation 5A(5) of the Personal Pension Schemes (Payments by Employers) Regulations 2000 ^{M37} (the issue of payment statements to an employee) add—

“(6) A statement referred to in paragraph (1) may be issued in accordance with regulations 26 to 28 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (giving information and documents).”.

Status: Point in time view as at 06/04/2018.

Changes to legislation: There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013. (See end of Document for details)

Marginal Citations

M37 [S.I. 2000/2692](#). Regulation 5A was inserted by [S.I. 2006/778](#).

The Occupational Pension Schemes (Winding Up Notices and Reports etc.) Regulations 2002

11. In regulation 8 of the Occupational Pension Schemes (Winding Up Notices and Reports etc.) Regulations 2002 ^{M38} (applications to the Authority to modify schemes to secure winding up)—

(a) in paragraph (3)(a), for the words after “to all members of the scheme” substitute “ (except a member mentioned in paragraph (3A)) in accordance with regulations 26 to 28 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (giving information and documents), and ”, and

(b) after paragraph (3), insert—

“(3A) A member referred to in paragraph (3)(a) is a member—

(a) whose present postal address and electronic address is not known to the trustees or managers of the scheme, and

(b) in respect of whom the trustees or managers of the scheme have sent correspondence to their last known—

(i) postal address and that correspondence has been returned, or

(ii) electronic address and the trustees or managers of the scheme are satisfied that that correspondence has not been delivered.”.

Marginal Citations

M38 [S.I. 2002/459](#).

The Occupational Pension Schemes (Independent Trustee) Regulations 2005

12. After regulation 13(8) of the Occupational Pension Schemes (Independent Trustee) Regulations 2005 ^{M39} (disclosure requirements and penalty) insert—

“(9) The appointed trustee may give any information under this regulation in accordance with regulations 26 to 28 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (giving information and documents).”.

Marginal Citations

M39 [S.I. 2005/703](#).

The Occupational Pension Schemes (Winding up etc.) Regulations 2005

13.—(1) The Occupational Pension Schemes (Winding up etc.) Regulations 2005 ^{M40} are amended as follows.

(2) In regulation 6(6) (adjustments to discretionary awards) for “by post”, the first time it appears, substitute “ in accordance with regulations 26 to 28 (giving information and documents) of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 ”.

(3) In regulation 7(6) (adjustments to survivors' benefits) for “by post”, the first time it appears, substitute “ in accordance with regulations 26 to 28 (giving information and documents) of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 ”.

Marginal Citations

M40 [S.I. 2005/706](#).

The Occupational Pension Schemes (Scheme Funding) Regulations 2005

14. In Schedule 3 to the Occupational Pension Schemes (Scheme Funding) Regulations 2005^{M41} (supplementary and consequential provisions) omit paragraphs 2 and 3.

Marginal Citations

M41 [S.I. 2005/3377](#).

The Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006

15. After regulation 11(2) of the Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006^{M42} (requirement to provide information), add—

“(3) Information provided under this regulation may be provided in accordance with regulations 26 to 28 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (giving information and documents).”.

Marginal Citations

M42 [S.I. 2006/349](#).

The Occupational Pension Schemes (Payments to Employer) Regulations 2006

16.—(1) The Occupational Pension Schemes (Payments to Employer) Regulations 2006^{M43} are amended as follows.

(2) After regulation 10(3) (notification to members), add—

“(4) The trustees of the scheme may give the notice mentioned in paragraph (1) and provide a copy of the relevant valuation certificate mentioned in paragraph (2) in accordance with regulations 26 to 28 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (giving information and documents).”.

(3) After regulation 15(5) (notice of proposal to distribute excess assets to the employer), add—

“(6) A notice under this regulation may be sent in accordance with regulations 26 to 28 (giving information and documents) of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013.”.

Marginal Citations

M43 [S.I. 2006/802](#).

Status: Point in time view as at 06/04/2018.

Changes to legislation: There are currently no known outstanding effects for the *The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013*. (See end of Document for details)

The Application of Pension Legislation to the National Employment Savings Trust Corporation Regulations 2011

17. Omit regulations 2 and 3 of the Application of Pension Legislation to the National Employment Savings Trust Corporation Regulations 2011 ^{M44}.

Marginal Citations

M44 [S.I. 2011/673](#).

The Pensions Act 2007 (Abolition of Contracting-out for Defined Contribution Pension Schemes) (Consequential Amendments) Regulations 2011

18.—(1) The Pensions Act 2007 (Abolition of Contracting-out for Defined Contribution Pension Schemes) (Consequential Amendments) Regulations 2011 ^{M45} are amended as follows.

(2) Omit regulations 17 and 19.

(3) For regulation 20(4) (amendment of the Stakeholder Pension Schemes Regulations 2000) substitute—

“(4) In Schedule 3 (information for members)—

(a) in paragraph 1 omit sub-paragraph (d), and

(b) in paragraph 2 omit sub-paragraphs (e), (f) and (g).”.

Marginal Citations

M45 [S.I. 2011/1245](#).

[^{F34}SCHEDULE 10

Regulations 18A to 21

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

Textual Amendments

F34 Sch. 10 inserted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations 2015 \(S.I. 2015/482\)](#), regs. 1, **14**

Part 1

Information on the Pensions Guidance

1. A statement that pensions guidance is available to help the person to understand their options in relation to what they can do with their flexible benefits.

2. A statement that the pensions guidance may be accessed on the internet, by phone, or face to face.

3. The phone number and website address at which the pensions guidance may be accessed and details of how the person may access the pensions guidance face to face.

4. A statement that the pensions guidance is free and impartial.

5. A statement that the person should access the pensions guidance and consider taking independent advice to help them decide which option is most suitable for them.

Part 2

Information on Members' Benefits

6. An estimate of the cash equivalent of any of the member's accrued rights to flexible benefits that—

- (a) are transferrable rights; or
- (b) would be transferrable rights if the member stopped accruing rights to some or all of the flexible benefits,

calculated and verified in accordance with regulations 7 to 7E of the Occupational Pension Schemes (Transfer Values) Regulations 1996 (manner of calculation and verification of cash equivalents) on the basis that the member stopped accruing, or will stop accruing, those rights on a particular date.

7. An estimate of the value of any accrued rights to flexible benefits that the member may transfer out of the scheme under the scheme rules, in respect of which an estimate of the cash equivalent is not required to be given under paragraph 6, calculated in accordance with the scheme rules and actuarial assumptions on the date of the calculation.

8. The date by reference to which the estimate of the cash equivalent or value (as appropriate) is calculated.

9. An explanation that the cash equivalent or value (as appropriate) is an estimate and may not represent the exact amount available to the member to transfer to another pension provider.

10. In relation to the member's accrued rights to flexible benefits in respect of which there is an opportunity to transfer—

- (a) details of any guarantee to which the benefits are subject; and
- (b) details of any other features, restrictions and conditions that apply to the benefits that affect, or may affect, their value.

11. Where the member has a right or entitlement to benefits under the scheme that are not flexible benefits, that the member has that right or entitlement and how the member may access information about those benefits.

Part 3

Further information

12. A statement that—

- (a) there may be tax implications associated with accessing flexible benefits;
- (b) income from a pension is taxable; and
- (c) the rate at which income from a pension is taxable depends on the amount of income that the person receives from a pension and from other sources.

Status: Point in time view as at 06/04/2018.

Changes to legislation: There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013. (See end of Document for details)

13. Where the member has accrued rights to flexible benefits that are not money-purchase benefits, has not reached normal pension age and does not satisfy the ill-health condition—

- (a) a statement that the value of the member's accrued rights to flexible benefits is likely to be lower if the member accesses the benefits before normal pension age; and
- (b) the age at which the member will reach normal pension age.]

Status:

Point in time view as at 06/04/2018.

Changes to legislation:

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