
STATUTORY INSTRUMENTS

2015 No. 482

**The Occupational and Personal Pension Schemes
(Disclosure of Information) (Amendment) Regulations 2015**

New regulations 18A and 18B

7. After regulation 18 (lifestyling) insert—

“Information to be given on request and on a member providing certain information

18A.—(1) The information mentioned in paragraph (2) must be given in accordance with this regulation to a member who—

- (a) has an opportunity to transfer flexible benefits;
- (b) (i) requests information about what the member may do with the flexible benefits; or
(ii) informs the trustees or managers of the scheme that the member is considering, or has made a decision in relation to, what to do with the flexible benefits;
- (c) (i) will reach normal minimum pension age within four months of making a request, or informing the trustees or managers of the scheme, in accordance with sub-paragraph (b);
(ii) has reached normal minimum pension age; or
(iii) meets the ill-health condition; and
- (d) has not been given information under this regulation or regulation 19(2)(b)(ii) (first information on accessing benefits) in the previous 12 months.

(2) The information is—

- (a) a statement of the options available to the member under the scheme rules; and
- (b) that listed in Part 3 of Schedule 7 (information to be given to members having an opportunity to transfer flexible benefits) and in Schedule 10 (information to be given on the pensions guidance and members’ benefits).

(3) The information must be given within two months of the member making a request, or informing the trustees or managers of the scheme, in accordance with paragraph (1)(b).

Information to be given on communicating with a member about what the member may do with flexible benefits

18B.—(1) Subject to paragraph (5), the information mentioned in paragraph (2) must be given to a member in accordance with this regulation where—

- (a) the member has an opportunity to transfer flexible benefits;
- (b) the trustees or managers of the scheme contact the member, or the member contacts the trustees or managers of the scheme, in connection with what the member may do with the flexible benefits; and

- (c) the member—
 - (i) will reach normal minimum pension age within four months of the date on which the contact mentioned in sub-paragraph (b) is made;
 - (ii) has reached normal minimum pension age; or
 - (iii) meets the ill-health condition.
- (2) The information is—
 - (a) that listed in paragraphs 1, 4 and 5 of Schedule 10;
 - (b) that listed in paragraphs 2 and 3 of Schedule 10, unless the trustees or managers of the scheme—
 - (i) give information under this regulation verbally; and
 - (ii) offer to give the member information about how the member may access the pensions guidance and the offer is declined by the member; and
 - (c) where information has not been given to the member under regulation 18A (information to be given on request and on a member providing certain information) in the previous 12 months, a statement that—
 - (i) the member may request information about—
 - (aa) the flexible benefits that may be provided to the member;
 - (bb) the member’s opportunity to transfer those benefits; and
 - (cc) the options available to the member under the scheme rules; and
 - (ii) the information may help the member to decide what to do with the flexible benefits.
- (3) The information may be given verbally unless the member requests that the information is given in writing.
- (4) The information must be given within 20 days of the contact mentioned in paragraph (1)(b) or the request mentioned in paragraph (3), whichever is later.
- (5) No information is required to be given under this regulation where—
 - (a) the member informs the trustees or managers of the scheme that the member has accessed the pensions guidance in the previous 12 months;
 - (b) the member informs the trustees or managers of the scheme that the member has received independent financial advice in the previous 12 months about what the member may do with the flexible benefits; or
 - (c) the trustees or managers of the scheme—
 - (i) have given information to the member under regulation 18A in the two months immediately preceding the date on which the contact mentioned in paragraph (1)(b) is made; or
 - (ii) are required to give information to the member under regulation 18A within two months of the date on which the contact mentioned in paragraph (1) (b) is made.”.