
STATUTORY INSTRUMENTS

2016 No. 294

**The Pension Protection Fund and
Occupational and Personal Pension Schemes
(Miscellaneous Amendments) Regulations 2016**

PART 4

Disclosure of information amendments

Amendment to regulation 2

- 8.—(1) In regulation 2(1) (interpretation), after the definition of “transferrable rights” insert—
- ““unfunded public service defined benefits scheme” has the meaning given in section 95(2C) of the 1993 Act (ways of taking right to cash equivalent)(1);”.
- (2) In regulation 2(2), for sub-paragraph (a) substitute—
- “(a) a member has an opportunity to transfer flexible benefits where—
- (i) the member—
 - (aa) has transferrable rights in relation to flexible benefits; or
 - (bb) would have transferrable rights in relation to flexible benefits if the member stopped accruing rights to some or all of the flexible benefits (see sub-paragraph (b)),and the making of a transfer or transfer payment in respect of the flexible benefits is not prohibited by section 135(4)(a) of the 2004 Act (restrictions on winding up, discharge of liabilities etc.)(2); or
 - (ii) the member has an opportunity to transfer accrued rights to flexible benefits out of the scheme under the scheme rules;”.

(1) 1993 c. 48. Section 95(2C) was inserted by section 68(1) and (3) of the Pension Schemes Act 2015 (“the 2015 Act”).

(2) See regulation 2(1) of S.I. 2013/2734 for the meaning of “the 2004 Act”. Section 135(4) was amended by section 58(3) of the 2015 Act.