
STATUTORY INSTRUMENTS

2021 No. 1237

**The Occupational and Personal Pension Schemes
(Conditions for Transfers) Regulations 2021**

The First Condition: transfers into certain receiving schemes

7.—(1) For the purposes of these Regulations, this regulation will be referred to as “the First Condition”.

(2) The First Condition applies to a transfer to a receiving scheme that is one of the types of scheme specified in paragraph (3).

(3) The types of receiving scheme referred to in paragraph (2) are any of the following—

(a) a public service pension scheme as defined in section 1(1) of the 1993 Act (categories of pension schemes)⁽¹⁾;

(b) a Master Trust scheme—

(i) for the purposes of Part 1 of the Pension Schemes Act 2017 (Master Trusts)⁽²⁾, which is authorised by the Pensions Regulator for the purposes of that Part and listed as such in accordance with section 13(1) of that Act (list of authorised schemes); or

(ii) for the purposes of Part 1 of the Pension Schemes Act (Northern Ireland) 2021 (Master Trusts)⁽³⁾, which is authorised by the Pensions Regulator for the purposes of that Part and listed as such in accordance with section 13(1) of that Act (list of authorised schemes);

(c) a collective money purchase scheme—

(i) for the purposes of Part 1 of the 2021 Act (collective money purchase benefits), which is authorised by the Pensions Regulator for the purposes of that Part, and listed as such in accordance with section 26(1) of that Act (list of authorised schemes); or

(ii) for the purposes of Part 2 of the 2021 Act (collective money purchase benefits), which is authorised by the Pensions Regulator for the purposes of that Part, and listed as such in accordance with section 77(1) of that Act (list of authorised schemes).

(4) The First Condition is satisfied where the trustees or managers of the transferring scheme have satisfied themselves that the receiving scheme is established, in the case of sub-paragraph (a) of paragraph (3), or is listed as authorised by the Pensions Regulator, in the case of sub-paragraph (b) or (c) of that paragraph, in accordance with the legislation referred to in the relevant sub-paragraph.

(5) In satisfying themselves of the relevant matter required by paragraph (4), the trustees or managers of the transferring scheme must not require that the member provide evidence or information apart from the details necessary for the trustees or managers of the transferring scheme to identify the correct receiving scheme.

(6) For the purposes of paragraph (3)(c), where a pension scheme is divided into sections and the transfer is into a section that is a collective money purchase scheme for the purposes of Part 1 or Part 2 of the 2021 Act, receiving scheme means that section of the divided pension scheme.

⁽¹⁾ Section 1(1) was amended by section 239 of the Pensions Act 2004 (c. 35); there are other amendments that are not relevant.

⁽²⁾ 2017 c. 17.

⁽³⁾ 2021 c. 6 (N.I.).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
