STATUTORY INSTRUMENTS

2015 No. 2058 (C. 129)

PENSIONS

The Pensions Act 2014 (Commencement No.7) and (Savings) (Amendment) Order 2015

Made - - - - 16th December 2015

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by section 56(1), (4), (7) and (8) of the Pensions Act 2014(**1**):

Citation and commencement

1.—(1) This Order may be cited as the Pensions Act 2014 (Commencement No.7) and (Savings) (Amendment) Order 2015.

(2) This article and article 2 come into force on 15th January 2016.

(3) Article 3 comes into force on 6th April 2016.

Commencement of provisions

2. The following provisions of the Pensions Act 2014 are commenced only for the purposes of making regulations—

(a) section 23 (amendments) and paragraphs 2 and 6(1) of Schedule 12 (amendments to do with new state pension system) only in so far as they relate to the provision in paragraph (b); and

(b) paragraph 6(3) of Schedule 12.

Amendment of the Pensions Act 2014 (Savings) Order 2015

3.—(1) The Pensions Act 2014 (Savings) Order 2015(**2**) is amended as follows.

(2) In article 1 (citation, commencement and interpretation)—

(a) in paragraph (3), for "2(1) and (2)" substitute "2(1), (2) and (3A)"; and

(b) in paragraph (4), after the definition of "PPF assessment period", insert—

(**1**) 2014 c.19.
(**2**) S.I. 2015/1502.

""reference scheme minimum benefit" means a salary related benefit which is defined by reference to section 12B of the 1993 Act (reference scheme)(**3**) and which, under the provisions of the scheme, will be provided as a minimum pension payable to the member;".

(3) In article 2 (savings)—

(a) in paragraph (1), omit "33,";

(b) in paragraph (2), omit sub-paragraph (g);

(c) after paragraph (2), insert—

"(2A) Sections 12A to 12D of the 1993 Act (requirements for certification of occupational pension schemes applying from 6th April 1997) continue to have effect, as if the repeals made by paragraphs 10 and 11 of Schedule 13 to the Act had not been made, in relation to a scheme that was a salary related contracted-out scheme and which provides a reference scheme minimum benefit in order to meet the statutory standard in section 12A, and in relation to the period of a member's contracted-out employment which ended before or on the second abolition date.";

(d) after paragraph (3), insert—

"(3A) Section 50 of the 1993 Act (powers of HMRC to approve arrangements for scheme ceasing to be certified)(**4**) continues to have effect, as if that section had not been repealed by paragraph 33 of Schedule 13 to the Act, in relation to a salary related contracted-out scheme which ceased to be such a scheme before the second abolition date."; and

(e) after paragraph (5) insert—

"(6) Section 87(1)(a) of the 1993 Act (general protection principle)(**5**) continues to have effect, as if sub-paragraph (i) had not been substituted by paragraph 38 of Schedule 13 to the Act, in relation to earners whose service in contracted-out employment ended before the second abolition date.".

Signed by authority of the Secretary of State for Work and Pensions

Altmann
Minister of State,
Department for Work and Pensions

16th December 2015

(**3**) Sections 12A to 12D were inserted by section 136(5) of the Pensions Act 1995 (c.26), and amended by S.I. 1997/819, S.I. 2005/2050, paragraph 36 of Schedule 1 to, and paragraph 5 of Schedule 5 to, and Part 8 of Schedule 7 to, the Pensions Act 2007 (c.22), and paragraphs 7 and 9 of Schedule 1 to the National Insurance Contributions Act 2008 (c.16).

(**4**) Section 50 was amended by paragraph 45(b) and (c) of Schedule 5 to the Pensions Act 1995, paragraph 51 of Schedule 1 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2) and S.I. 2011/1730. Section 50 refers to 'Inland Revenue' but by virtue of section 50(1) of the Commissioners of Revenue and Customs Act 2005 (c.11), references in existing enactments to "Commissioners of Inland Revenue" shall be taken as references to "Commissioners for Her Majesty's Revenue and Customs".

(**5**) Section 87(1)(a) was amended by paragraph 28 of Schedule 4 to the Pensions Act 2007.