

## SCHEDULES

### SCHEDULE 2

#### CERTIFICATION REGULATIONS

#### PART I

#### OCCUPATIONAL PENSION SCHEMES

##### *General regulations: beginning and ending of employment*

- 1 (1) In relation to employments which are or at any time have been contracted-out employments, and to the operation of schemes by reference to which employments are or have been contracted-out, regulations may make provision generally as to the circumstances in which an earner's employment is or is not to be treated as having begun, or as having come to an end and, in particular, as to the matters mentioned in sub-paragraphs (2) to (4).
- (2) Regulations may make provision for treating an earner's employment which ends before a person succeeds to the business of the earner's employer as having been employment under the employer's successor.
- (3) Regulations may make provision—
- (a) for changes in an earner's employment due to the death of an employer or another cause, or any cesser of contracted-out employment so due, to be disregarded; or
  - (b) for employment under one employer to be treated as a continuation of that under another and any contracting-out certificate issued to, or election made by, the former employer to be treated as issued to or made by the latter.
- (4) Regulations may also make provision—
- (a) for temporary interruptions in an earner's employment or contracted-out employment to be disregarded; and
  - (b) for the employment in either case to be treated as continuing during the interruption.
- (5) References in this paragraph to an earner's employment beginning or ending shall include references to his employment becoming or ceasing to be contracted-out employment.
- 2 (1) Subject to sub-paragraph (2), regulations may enable the Board to determine in prescribed circumstances that an earner, or any group of earners whose employment falls within a particular category or description of contracted-out employments, has been in such employment from a date ("the determined date") earlier than would otherwise be the case.
- (2) The determined date for any earner may not be earlier than—

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*Status: This is the original version (as it was originally enacted).*

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- (a) the date on which his relevant employment began, or
  - (b) the date on which a contracting-out certificate was issued in respect of it,
- whichever is the later.

3 Provision may be made by regulations for requiring an employer to give notice to the Secretary of State—

- (a) when an earner's employment becomes or ceases to be contracted-out employment; and
- (b) when an earner's employment in contracted-out employment begins or ends.