

SCHEDULES

SCHEDULE 4

ABOLITION OF CONTRACTING-OUT FOR DEFINED CONTRIBUTION PENSION SCHEMES

PART 3

SAVINGS

Issue and cancellation etc. of certificates for periods before the abolition date

60. Nothing in the relevant amendments and repeals affects the continued operation of any regulations in force under section 3(1) and (7) of the Pension Schemes Act (issue of certificates) immediately before the abolition date in relation to the issue of a certificate having effect for a period before the abolition date.

61.—(1) Nothing in the relevant amendments and repeals affects the continued operation of section 30 of the Pension Schemes Act (cancellation, variation, surrender and refusal of certificates), or any regulations in force under it immediately before the abolition date, for the purposes of a retrospective act.

(2) In sub-paragraph (1) “a retrospective act” means the cancellation, variation, surrender or refusal of a certificate, or the issue of an amended certificate, where—

- (a) the certificate was in force for a period beginning before the abolition date (or, in the case of a refusal of a certificate, would have related to such a period if it had been issued), and
- (b) the cancellation, variation, surrender, refusal or issue—
 - (i) is made after the abolition date, but
 - (ii) has effect from a date before that date.

(3) An amended certificate issued by virtue of this paragraph must provide for it to cease to have effect as from the abolition date.

(4) In this paragraph and paragraph 60 “a certificate” means an appropriate scheme certificate or a contracting-out certificate in respect of a money purchase contracted-out scheme, and each of those terms has the meaning given by section 176(1) of the Pension Schemes Act.

62. Nothing in the relevant amendments and repeals affects the continued operation of section 160(2) of the Pension Schemes Act (persons employed by

or under the Crown to be treated as employed earners for the purposes of certain provisions) in relation to the provisions of that Act saved by paragraphs 60 and 61.

63. Nothing in the relevant amendments and repeals affects the continued operation of section 172(2)(b)(ii) of the Pension Schemes Act (administrative expenses of the Department, other than those arising out of certain provisions, to be paid out of the National Insurance Fund into the Consolidated Fund) in relation to the estimated administrative expenses of the Department in carrying into effect the provisions of that Act saved by paragraphs 60 and 61.