

SCHEDULES

SCHEDULE 10

PENSION SCHEMES ETC.

Primary and enhanced protection: valuation of uncrystallised rights

- 52 (1) Schedule 36 (transitional provisions) is amended as follows.
- (2) Paragraph 9 (valuation of uncrystallised rights under pension schemes within paragraph 1(1)(a) to (d)) is amended as follows.
- (3) In sub-paragraph (2) (alternative values)—
- (a) omit “the lower of”, and
 - (b) for “and” at the end of paragraph (a) substitute “ or (if lower) ”.
- (4) In sub-paragraph (4) (the maximum permitted pension), after “means” insert—
- “(a) in the case of an arrangement under a pension scheme which immediately before 6th April 2006 was within section 611(1)(a) of ICTA, the maximum annual pension that could be paid to the individual under the pension scheme on 5th April 2006, and
 - (b) in any other case.”.
- (5) In sub-paragraph (5) (assumptions)—
- (a) in paragraph (a), at the beginning insert “ in the case of any arrangement, that ” and for “2006, that” substitute “ 2006 ”,
 - (b) after that paragraph insert—
 - “(aa) in the case of an arrangement within sub-paragraph (4)(a), that the valuation assumptions apply (see section 277),”, and
 - (c) in paragraph (b), at the beginning insert “ in the case of any other arrangement, that ” and for “scheme, that” substitute “ scheme ”.
- (6) Paragraph 26 (lump sum protection: limit on value of uncrystallised rights under pension schemes within paragraph 1(1)(a) to (d)) is amended as follows.
- (7) In sub-paragraph (2) (alternative values)—
- (a) omit “the lower of”, and
 - (b) for “and” at the end of paragraph (a) substitute “ or (if lower) ”.
- (8) In sub-paragraph (3) (the maximum permitted lump sum), after “means” insert—
- “(a) in the case of an arrangement under a pension scheme which immediately before 6th April 2006 was within section 611(1)(a) of ICTA, the maximum lump sum that could be paid to the individual under the pension scheme on 5th April 2006, and
 - (b) in any other case.”.

Changes to legislation: There are currently no known outstanding effects for the Finance Act 2005, Cross
Heading: Primary and enhanced protection: valuation of uncrystallised rights. (See end of Document for details)

- (9) In sub-paragraph (4) (assumptions)—
- (a) in paragraph (a), at the beginning insert “ in the case of any arrangement, that ” and for “2006, that” substitute “ 2006 ”,
 - (b) after that paragraph insert—
 - “(aa) in the case of an arrangement within sub-paragraph (3)(a), that the valuation assumptions apply (see section 277),”,
 - and
 - (c) in paragraph (b), at the beginning insert “ in the case of any other arrangement, that ” and for “scheme, that” substitute “ scheme ”.

Commencement Information

II Sch. 10 para. 52 in force at 6.4.2006, see Sch. 10 para. 64(1)

Changes to legislation:

There are currently no known outstanding effects for the Finance Act 2005, Cross Heading:
Primary and enhanced protection: valuation of uncrystallised rights.