
STATUTORY INSTRUMENTS

1996 No. 1172

**Occupational Pension Schemes
(Contracting-out) Regulations 1996**

PART VIII

TRANSITIONAL ARRANGEMENTS AND SAVINGS

Transitional arrangements for certification of schemes.

^{F1}70.

Textual Amendments

F1 Regs. 70-74 revoked (6.4.2016) by [The Occupational Pension Schemes \(Schemes that were Contracted-out\) \(No.2\) Regulations 2015 \(S.I. 2015/1677\)](#), regs. 1(2)(b), **31(j)**

Elections for replacement certificates by salary-related schemes during transitional period.

^{F1}71.

Textual Amendments

F1 Regs. 70-74 revoked (6.4.2016) by [The Occupational Pension Schemes \(Schemes that were Contracted-out\) \(No.2\) Regulations 2015 \(S.I. 2015/1677\)](#), regs. 1(2)(b), **31(j)**

Transitional requirements as to sufficiency of resources of salary-related schemes.

^{F1}72.

Textual Amendments

F1 Regs. 70-74 revoked (6.4.2016) by [The Occupational Pension Schemes \(Schemes that were Contracted-out\) \(No.2\) Regulations 2015 \(S.I. 2015/1677\)](#), regs. 1(2)(b), **31(j)**

Transitional arrangements and savings for salary-related schemes which have begun winding up before the principal appointed day.

^{F1}73.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Occupational Pension Schemes (Contracting-out) Regulations 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments
F1 Regs. 70-74 revoked (6.4.2016) by [The Occupational Pension Schemes \(Schemes that were Contracted-out\) \(No.2\) Regulations 2015 \(S.I. 2015/1677\)](#), regs. 1(2)(b), **31(j)**

Transitional arrangements in relation to the powers of the Secretary of State to approve arrangements for schemes ceasing to contract out before the principal appointed day.

^{F1}74.

Textual Amendments
F1 Regs. 70-74 revoked (6.4.2016) by [The Occupational Pension Schemes \(Schemes that were Contracted-out\) \(No.2\) Regulations 2015 \(S.I. 2015/1677\)](#), regs. 1(2)(b), **31(j)**

Transitional modifications to sections 35 and 36 of the 1993 Act.

^{F2}75.

Textual Amendments
F2 [Reg. 75](#) revoked (6.4.2019) by [The Occupational Pension Schemes \(Schemes that were Contracted-out\) \(No.2\) Regulations 2015 \(S.I. 2015/1677\)](#), regs. 1(2)(c), **33(c)**

Prevention of recovery by employers of Class 1 contributions where certificate cancelled under section 36(3) of the 1993 Act.

76.—(1) This regulation shall apply in any case where the Occupational Pensions Board or the Secretary of State has cancelled a contracting-out certificate under section 36(3) of the 1993 Act [^{F3}before the second abolition date].

(2) An employer shall not be entitled to recover (whether by deduction from emoluments or otherwise) any arrears which he is required to pay to the Secretary of State in respect of an earner’s liability under section 6(3) of the Contributions and Benefits Act in so far as those arrears comprise the difference between the amount of the primary Class 1 contributions payable at the normal rate in respect of the emoluments from the employed earner’s employment and the amount of the primary Class 1 contributions that were paid while the employment was regarded as contracted-out to the cancellation of the further contracting-out certificate.

(3) This regulation shall apply notwithstanding the terms of any contract to the contrary.

Textual Amendments
F3 Words in reg. 76(1) inserted (6.4.2016) by [The Occupational Pension Schemes \(Schemes that were Contracted-out\) \(No.2\) Regulations 2015 \(S.I. 2015/1677\)](#), regs. 1(2)(b), **29(6)**

[^{F4}Transitional arrangements for schemes contracted-out under section 9(2) of the 1993 Act to become contracted-out under section 9(3) of that Act

^{F5} 76A].

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Textual Amendments

- F4** Reg. 76A inserted (12.7.1996) by [The Occupational Pension Schemes \(Contracting-out\) Amendment Regulations 1996 \(S.I. 1996/1577\)](#) , regs. 1 , **2**
- F5** Reg. 76A revoked (6.4.2016) by [The Occupational Pension Schemes \(Schemes that were Contracted-out\) \(No.2\) Regulations 2015 \(S.I. 2015/1677\)](#), regs. 1(2)(b), **31(k)**

[^{F6}Former requirements for consent for alterations of rules

^{F7} **76B**].

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Textual Amendments

- F6** Reg. 76B inserted (6.4.1997) by [The Personal and Occupational Pension Schemes \(Miscellaneous Amendments\) Regulations 1997 \(S.I. 1997/786\)](#) , reg. 1 , **Sch. 1 para. 4(15)**
- F7** Reg. 76B revoked (6.4.2016) by [The Occupational Pension Schemes \(Schemes that were Contracted-out\) \(No.2\) Regulations 2015 \(S.I. 2015/1677\)](#), regs. 1(2)(b), **31(k)**

Savings in respect of State Scheme Premiums.

^{F8}**77**.

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Textual Amendments

- F8** Reg. 77 revoked (6.4.2016) by [The Occupational Pension Schemes \(Schemes that were Contracted-out\) \(No.2\) Regulations 2015 \(S.I. 2015/1677\)](#), regs. 1(2)(b), **31(l)**

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Changes and effects yet to be applied to :

- Instrument saved by [S.I. 1997/784 reg.8](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Act cert. functs. trans. (pt.prosp.) by [1999 c. 2 s.1 \(2\). Sch.2](#)