

Summary overview of social and labour law relevant to pensions in the UK

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The relevant social and labour laws where the UK is the host state for an employment relationship in respect of which contributions are paid to a European pensions institution is that specified by Regulation 16 of the Occupational Pension Schemes (Cross-border Activities) Regulations 2005, for the purposes of s293 of the Pensions Act 2004.

Regulation 16 specifies the laws listed in paragraphs 2, 3 or 5 of schedule 2 to the Regulations. For ease of reference the relevant primary legislation in force in the UK is listed in column 1 of the table below. The descriptions contained in columns 2 and 3 are indicative of the content of the sections listed in column 1. They are not intended and should not be read as statements of the law or as legal advice. Subordinate legislation has been made under many of these sections and will also be relevant where the primary legislation applies.

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Part III	Certification of Pension Schemes and Effects on Members' State Scheme Rights and Duties	
Chapter 1	Certification	<i>General requirements for certification</i>
Section 9	Requirements for certification of schemes: general	Sets out conditions which must be fulfilled before an occupational or personal pension scheme may be paid contributions in respect of employees who have contracted out of the second state pension
Section 10	Protected rights and money purchase benefits	Defines the protected rights under an occupational or personal pension scheme
		<i>Requirements for certification of occupational pension schemes</i>
Section 12A	The statutory standard	A scheme must satisfy the statutory standard ie the pensions to be provided for such persons are broadly equivalent to, or better than, the pensions which would be provided for such persons under a reference scheme
Section 12B	Reference scheme	Defines a reference scheme

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Section 12C	Transfer, commutation, etc	<p>Regulations may prohibit or restrict:</p> <ul style="list-style-type: none"> (a) the transfer of any liability <ul style="list-style-type: none"> (i) for the payment of pensions under a relevant scheme, or (ii) in respect of accrued rights to such pensions, (b) the discharge of any liability to provide pensions under a relevant scheme, or (c) the payment of a lump sum instead of a pension payable under a relevant scheme, <p>except in prescribed circumstances or on prescribed conditions</p>
Section 12D	Entitlement to benefit	<p>In the case of a scheme contracted out by virtue of section 9(2B) of this Act, regulations may make provision as to the ages by reference to which benefits under the scheme are to be paid</p>
		<p><i>Requirements for certification of occupational pension schemes providing guaranteed minimum pensions</i></p>
Sections 13	Minimum pension for earners	<p>(1) Subject to the provisions of this section a scheme must:</p> <ul style="list-style-type: none"> (a) provide for the earner to be entitled to a pension under the scheme if he attains pensionable age; and (b) contain a rule to the effect that the weekly rate of the pension will be not less than his guaranteed minimum (if any) under sections 14 to 16
Section 14	Earner's guaranteed minimum	<p>Subject to provisions, the guaranteed minimum shall be the weekly equivalent of an amount equal to the appropriate percentage of the total of the earner's earnings factors for the relevant years, so far as derived from earnings such as are mentioned in subsection (1) upon which primary Class 1 contributions have been paid or treated as paid.</p> <p>Definitions:</p> <ul style="list-style-type: none"> • 'appropriate percentage' • 'relevant year'

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Section 15	Increase of guaranteed minimum where commencement of guaranteed minimum pension postponed	Requires a specified pro-rata increase where commencement is deferred
Section 15A	Reduction of guaranteed minimum in consequence of pension debit	Specifies the percentage reduction to be applied when pension becomes subject to a pension debit
Section 16	Revaluation of earnings factors for purposes of s14: early leavers etc	<p>Requires the earner's earnings factor for any relevant year to be increased by a prescribed percentage and provides for reference to the last service tax year when an employee leaves service</p> <p>Definitions:</p> <ul style="list-style-type: none"> • 'last service tax year' • 'relevant year' • 'final relevant year'
Section 17	Minimum pensions for widows and widowers	Specifies the amount and duration of payment of guaranteed minimum pension to survivors
Section 18	Treatment of insignificant amounts	Provisions for rounding up and down
Section 19	Discharge of liability where guaranteed minimum pensions secured by insurance policies or annuity contracts	Subject to detailed requirements, a transaction will discharge the trustees or managers of an occupational scheme from their liability to provide for guaranteed minimum pensions if it is carried out before pensionable service terminates and creates security under an annuity contract or insurance policy

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Section 20	Transfer of accrued rights	Regulations may prescribe circumstances in which and conditions subject to which accrued rights to GMP may be transferred to another scheme. Definition: <ul style="list-style-type: none"> • 'accrued rights'
Section 21	Commutation, surrender and forfeiture	A scheme may provide for a lump sum to be paid instead of a pension subject to complying with prescribed restrictions and conditions.
Section 23	Securing of benefits	A scheme must contain a rule according priority to GMPs and state scheme premiums on a wind up
		<i>Requirements for certification of occupational and personal money purchase schemes</i>
Section 27	Identification and valuation of protected rights	Where the rules of the scheme make such provision as is mentioned in section 10(2) or (3), they must also make provision for the identification of the protected rights
Section 28	Ways of giving effect to protected rights	The rules of the scheme must provide for effect to be given to the protected rights of a member by purchase of an annuity or other method which complies with the conditions imposed by this section. Personal pension schemes may put in place interim arrangements
Section 28A	Requirements for interim arrangements	An interim arrangement must provide for payments to be made to the member, or where appropriate, his successor, unless they forbear to receive them
Section 28B	Information about interim arrangements	The trustees or managers of a personal pension scheme must if required to do so by the Inland Revenue produce information relevant to the interim arrangement and the value of protected rights to which the arrangement relates
Section 29	The pension and annuity requirements	Sets out the criteria concerning duration of pension payments and choice of annuity which must be complied with in order to satisfy two of the conditions imposed by s28

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Section 30	Securing of liability for protected rights	The Inland Revenue must be satisfied that the scheme complies with any requirements as may be prescribed for meeting the whole or a prescribed part of any liability in respect of protected rights under the scheme which the scheme is unable to meet from its own resources
Section 31	Investment and resources of schemes	The scheme must comply with prescribed requirements governing the use of scheme resources
Section 32	Suspension or forfeiture	Except in prescribed circumstances the rules of the scheme must not permit the suspension or forfeiture of a member's protected rights
Section 32A	Discharge of protected rights on winding up; insurance policies	Sets out alternative ways of giving effect to the protected rights of a member of the scheme which is being wound up and prescribed conditions are met
Section 33	Tax requirements to prevail over certification requirements	Nothing in sections 26 to 32 shall be taken to prejudice any requirements with which a registered scheme must comply under legislation dealing with taxation treatment of pension schemes
		<i>Alteration of rules of contracted-out schemes</i>
Section 37	Alteration of scheme rules after certification	Except in prescribed circumstances, the rules of a contracted out scheme cannot be altered unless the alteration is of a prescribed description.
		<i>General regulations as to administration of Part III</i>
Section 39	General power to make regulations	Schedule 2 shall have effect for enabling regulations to be made in relation to the operation and administration of Part III of this Act

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Chapter II	Reduction in State Scheme Contributions and Social Security Benefits for members of Certified Schemes	<i>Minimum contributions: members of appropriate personal pension schemes</i>
Section 45B	Money purchase and personal pension schemes: verification of ages	Information held by the Secretary of State or the Inland Revenue as to the age of any individual may be disclosed to schemes in connection with the payment of minimum contributions
Chapter III	Termination of Contracted-out or Appropriate Scheme Status: State Scheme Premiums	<i>Approval of arrangements for schemes ceasing to be certified</i>
Section 50	Powers of Inland Revenue to approve arrangements for scheme ceasing to be certified	The Inland Revenue may approve arrangements for preservation or transfer of accrued, protected or safeguarded rights and liabilities where a scheme ceases to be certified
Section 51	Calculation of guaranteed minimum pensions preserved under approved arrangements	Prescribes variations to the s16 calculation method to be used where a scheme ceases to be contracted out
		<i>Supervision of formerly certified schemes</i>
Section 52 to 54	Supervision of schemes which have ceased to be certified	Gives the Inland Revenue power to direct scheme trustees, managers and in some cases employers to take or refrain from taking steps as may be specified in a notice given by them

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
		<i>State scheme premiums</i>
Sections 55 to 58	Payment of state scheme premiums on termination of certified status	Makes provision for payment of a contributions equivalent premium where an employee leaves a contracted out employment with less than two years service
Sections 61-63	Deduction of contributions equivalent premium from refund of scheme contributions	Makes provision for an amount equal to the reduction in Class 1 national insurance contributions to be offset against any contributions equivalent premium payable in respect of an employee who is leaving with short service and is due a refund of contributions
Part IIIA	Safeguarded Rights	
Section 68A	Safeguarded rights	Subject to the rules of the scheme, the safeguarded rights of a member of an occupational or personal pension scheme are such rights to future benefits under the scheme as are attributable to a pension credit in respect of which the reference rights are or include contracted out rights or safeguarded rights
Section 68B	Requirements relating to safeguarded rights	Regulations may prescribe requirements to be met by an occupational or personal pension scheme in relation to safeguarded rights
Section 68C	Reserve powers in relation to non-complying schemes	Gives powers to the Inland Revenue to issue directions requiring the trustees or managers of a scheme to take or refrain from taking steps as the Revenue may specify for the purpose of protecting entitlements to safeguarded rights
Section 68D	Power to control transfer or discharge of liability	Regulations may prohibit or restrict transfer of discharge of liabilities in respect of safeguarded rights
Part IV	Protection for Early Leavers	
Chapter 1	Preservation of Benefit Under Occupational Schemes	

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Section 69	Scope of Chapter I: the preservation requirements	<p>'The preservation requirements' are those specified in or under sections 71 to 82.</p> <p>They apply to an occupational pension scheme whose resources are derived in whole/part from:</p> <ul style="list-style-type: none"> (a) payments (as specified in the legislation) made or to be made by one or more employers of earners to whom the scheme applies; or (b) other payments by the earner or his employer or both as may be prescribed for different categories of scheme
Section 70	Interpretation	<p>Definitions of</p> <ul style="list-style-type: none"> • 'scheme' • 'relevant employment' • 'long service benefit' • 'pensionable service'
Section 71	Basic principle as to short service benefit	<p>Provision as to the application of short service benefit.</p> <p>A scheme must make provision where a member's pensionable service is terminated before normal pension age and he has at least two years qualifying service, or a transfer payment in respect of his rights under a personal pension scheme has been made to the scheme where he is entitled to a benefit of any description which would have been payable under the scheme as long service benefit.</p> <p>Definition of:</p> <ul style="list-style-type: none"> • 'short service benefit'.
Section 72	No discrimination between short service and long service beneficiaries	<p>Subject to other provisions (for example discretion) a scheme must not contain any rule which results, or can result, in a member being treated less favourably for any purpose relating to short service benefit than he is, or is entitled to be, treated for the corresponding purpose relating to long service benefit</p>

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Section 73	Form of short service benefit and its alternatives	Subject to other alternative provisions a members short service benefit must be: (a) payable directly out of the resources of the scheme; or (b) assured to him by such means as may be prescribed
Section 74	Computation of short service benefits	A scheme must provide for short service benefit to be computed on: the same basis as long service benefit.
Section 75	Credits	Categories of credits and definitions- <ul style="list-style-type: none"> • 'supplementary credits' • 'purchased credits' • 'bonus credits' • 'the appropriate proportions of the credits'
Section 76	Pension increases	A scheme which by its rules provides for increases of long service benefit from time to time (whether by way of upwards revaluation or otherwise) must provide for corresponding increases of short service benefit in the case of members whose pensionable service terminates at any time after the coming into force of any such rule
Section 81	Discharge of liability where short service or alternative benefits secured by insurance policies or annuity contracts	A transaction to which section 19 applies discharges the trustees or managers of an occupational pension scheme from their liability to provide for short service benefit or any alternative to short service benefit.
Section 82	Supplementary regulations	Regulations may provide that a scheme is not to be treated as conforming with the preservation requirements.
Chapter II	Revaluation of Accrued Benefits (Excluding Guaranteed Minimum Pensions)	

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Section 83	Scope of Chapter II	Provisions for revaluing: (a) benefits payable to or in respect of a member of an occupational pension scheme; and (b) benefits payable to or in respect of a member of a personal pension scheme (which does not include a scheme which is comprised in an annuity contract made before 4 January 1988)
Section 84	Basis of revaluation	Subject to other provisions (for example average salary benefit or flat rate benefit or money purchase benefit) any pension or other retirement benefit payable to the member and any pension or other benefit payable to any person in respect of him is to be revalued by the final salary method
Section 85	Revaluation not to apply to substituted benefit	Provisions not to be construed as requiring the revaluation of any pension or other benefit provided by virtue of section 72(2)(b) or section 101D(2)(b) by way of complete substitute for another pension or benefit
Section 86	Supplementary provisions	In making any calculation for the purposes of revaluation in relation to an occupational pension scheme: (a) any commutation, forfeiture or surrender of (b) any charge or lien on, and (c) any set-off against, the whole or part of a pension shall be disregarded In addition the same money may not be treated as providing both the increase in benefit required under revaluation and the benefit required by guaranteed minimum pensions
Chapter III	Protection of Increases in Guaranteed Minimum Pensions ('Anti-Franking')	

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Section 87	General protection principle	<p>Application were there is an interval between:</p> <ul style="list-style-type: none"> • the date on which an earner ceases to be in employment which is contracted-out by reference to an occupational pension scheme which is not a money purchase contracted out scheme ; and • the date on which his guaranteed minimum pension commences <p>Definition of:</p> <ul style="list-style-type: none"> • ‘the cessation date’ • ‘the commencement of payment date’ • ‘the relevant aggregate’
Section 88	The relevant sum	<p>Definition of:</p> <ul style="list-style-type: none"> • ‘the relevant sum’
Section 89	The appropriate addition	<p>Definition of:</p> <ul style="list-style-type: none"> • ‘the appropriate addition’
Section 90	The later earnings addition	<p>Definition of:</p> <ul style="list-style-type: none"> • ‘the later earnings addition’
Section 91	Special provision where employment continues after it ceases to be contracted out by reference to scheme	<p>If an earner’s employment ceases to be contracted-out by reference to an occupational pension scheme but the scheme continues to apply to it or</p> <p>An earner transfers from employment which is contracted-out by reference to an occupational pension scheme to employment to which the scheme applies but which is not contracted out by reference to it</p> <p>The amount of any short service or other benefit which has accrued shall be computed for the purpose of section 88(1)(a)(ii) as it would be computed if he had ceased on the cessation date to be in employment to which the scheme applies</p>

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Section 92	Supplementary provisions	<p>In making any calculation for the purposes of protection of increases in Guaranteed Minimum Pensions:</p> <ul style="list-style-type: none"> (a) any commutation, forfeiture or surrender of (b) any charge or lien on, and (c) any set-off against <p>the whole or part of a pension shall be disregarded</p> <p>Provisions for the earnings factor, cessation date, and weekly rate of a pension</p> <p>Definition of:</p> <ul style="list-style-type: none"> • 'final relevant year'
Chapter IV	Transfer Values	
Section 93	Scope of Chapter 1V	<p>Application of Transfer Values will apply</p> <p>(a) to any member of an occupational pension scheme:</p> <ul style="list-style-type: none"> • whose pensionable service has terminated at least one year before normal pension age and • who on the date on which his pensionable service terminated had accrued rights to the benefit under the scheme (exceptions apply) <p>(b) to any member of a personal pension scheme (except a scheme which is comprised in an annuity contract made before 4 January 1988) who has accrued benefits under the scheme</p>
Section 93A(1) to (3)	Salary related schemes: right to statement entitlement	<p>Provides the right for a member to receive on application a statement of entitlement from the trustees or managers of a salary related scheme.</p> <p>Definition of:</p> <ul style="list-style-type: none"> • 'the applicable rules' • 'the guarantee date'

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Section 94	Right to cash equivalent	Provisions setting out when the right to a cash equivalent arises for occupational and personal schemes Definition of: <ul style="list-style-type: none"> • ‘applicable rules’ • ‘the guarantee date’ • ‘the relevant date’ • ‘the relevant application’
Section 95	Ways of taking right to cash equivalent	Provisions setting out the procedure for taking a cash equivalent and defining the permissible transfer destinations. Definition of: <ul style="list-style-type: none"> • ‘the last option date’
Section 96	Further provisions concerning exercise of option under section 95	A member may exercise the option conferred by section 95(1) in different ways in relation to different portions of his cash equivalent
Section 97	Calculation of cash equivalents	Cash equivalents are to be calculated and verified in the prescribed manner. Power to make regulations setting out detailed provisions including allowance for increase or reduction in cash equivalents in prescribed circumstances. Definition of: <ul style="list-style-type: none"> • ‘appropriate date’
Section 98	Variation and loss of rights under section 94	Regulations may provide provisions as to the variation and loss of rights in relation to members of occupation and personal pension schemes A member of an occupational or personal scheme loses the right to a cash equivalent under this Chapter if the scheme is wound up
Section 99(1) to (4A),7(a) & (8)	Trustees’ duty after exercise of option	Timescales for complying with applications for transfers. Provisions discharging trustees from obligations to provide benefits (subject to certain exceptions) when they have done what is needed to carry out the member’s requirements

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Section 100	Withdrawal of applications	Subject to certain other provisions a member of a scheme may withdraw an application under section 95 by giving the trustees or managers notice in writing, unless the trustees or managers have already entered into an agreement with a third party
Section 101	Supplementary provisions	In making any calculation for the purposes of a transfer value: (a) any charge or lien on, and (b) any set-off against the whole or pay of a pension shall be disregarded
Chapter 5	Early leavers: Cash Transfer Sums and Contribution Refunds	
Sections 101AA	Scope of Chapter 5	These sections make provision for cash transfer and contribution refund entitlements for people whose pensionable service terminates before pensionable age, who have three months qualifying pensionable service, but no accrued rights to benefit
Section 101AB	Right to cash transfer sum and contribution refund	On termination of his pensionable service, a member of an occupational scheme to which this chapter applies acquires a right to elect between a cash transfer sum or a contribution refund
Section 101AC	Notification of right to cash transfer sum or contribution refund	Sets out the information trustees or managers must give when a member of an occupational scheme leaves pensionable service and the time within which they must give it
Section 101AD	Exercise of right under section 101AB	Requires the member to give notice in writing by a certain date of which option he is electing and how he wants any cash transfer sum to be used
Section 101AE	Permitted ways of using cash transfer sum	Defines permitted cash transfer destinations (pensions or purchase of annuities)

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Section 101AF	Calculation of cash transfer sum and contribution refund	Provides power for regulations to prescribe detailed calculation method including making provision for administration costs and variations to reflect fund value
Section 101AG	Duties of trustees or managers following exercise of right	Sets a timescale for complying with applications for transfers. Provisions discharging trustees from obligations to provide benefits (subject to certain exceptions) when they have done what is needed to carry out the member's requirements
Section 101AH	Powers of trustees or managers where right not exercised	Permission to pay a refund after lapse of time and provision for discharge of further duty
Section 101AI	Rights under section 101AB: further provision	A member of an occupation scheme loses any right acquired by him under s101AB if the scheme is wound up or if he fails to exercise his right to elect before the reply date and the trustees allow no further time
Part V	Annual Increases of Pensions in Payment	
Chapter II	Guaranteed Minimum Pensions	
Section 109	Annual increase of guaranteed minimum pensions	Gives power to the Secretary of State to make annual price indexation provision by Order
Section 110	Requirement as to resources for annual increase of guaranteed minimum pensions	Except as permitted by s53 of the Pensions Act 1995, the trustees or managers may not make an increase in a person's guaranteed minimum pension out of money which would otherwise fall to be used for payment of benefits under the scheme to that person
Part VIII	Relationship Between Requirements and Scheme Rules	

Provisions of the Pension Schemes Act 1993	Title of the provisions	Description of the provisions
Section 129	Overriding requirements	The extent to which provisions of a scheme are overridden when they conflict with statutory requirements. Definition of: <ul style="list-style-type: none"> 'protected provision'
Section 130	Extra-statutory benefits	Provisions of a scheme may provide benefits greater than required by statute
Section 131	Relationship of preservation requirements and scheme rules	The preservation requirements of Part IV are not directly applicable and set minimum standards
Section 132	Duty to bring schemes into conformity with indirectly-applying requirements	Duty placed on trustees, managers or other bodies responsible to bring the rules of the scheme into conformity with the preservation requirements
Part XI	General and Miscellaneous Provisions	<i>Avoidance of certain transactions and provisions</i>
Section 159	Inalienability of guaranteed minimum pension and protected rights payments	Except as prescribed by Regulations, any assignment of or charge over an actual or prospective entitlement to a guaranteed minimum pension or protected rights payment gained by reference to contracted out employment is void

Provisions of the Pensions Act 1995	Title of the Provisions	Description of the provisions
Part 1	Occupational Pensions	<i>Resolution of disputes</i>
Section 50(1)-(5) and 50(7)	Resolution of disputes	Sets out a detailed procedure by which disputes between scheme trustees or managers and scheme members must be resolved
		<i>Indexation</i>
Section 51	Annual increase in the rate of pensions	Provisions setting out the application of annual increases in the rate of pensions. For the purposes of subsection (3) the relevant percentage is: <ul style="list-style-type: none"> (a) the percentage increase in the retail prices index for the reference period, being a period determined, in relation to each periodic increase, under the rules, or (b) the percentage for that period which corresponds to - <ul style="list-style-type: none"> (i) in the case of a category X pension, 5% per annum, and (ii) in the case of a category Y pension, 2.5% per annum
Section 51ZA	Meaning of 'the appropriate percentage'	Definition of: <ul style="list-style-type: none"> • 'the appropriate percentage'
Section 51A	Restriction on increase where annuity tied to investments	No increase under section 51 is required to be made, at any time on or after the relevant date. Definition of: <ul style="list-style-type: none"> • 'the relevant date'
Section 52	Restriction on increase when member under 55	Subject to provisions, no increase under section 51 is required to be paid to or for a member of a scheme whose pension is in payment but who has not attained the age of 55 at the time when the increase takes effect
Section 53	Effect of increases above the statutory requirement	Makes provision for offsetting increases above those required by statute against subsequent years

Provisions of the Pensions Act 1995	Title of the Provisions	Description of the provisions
Section 54	Sections 51 to 53 : supplementary	Definition of: <ul style="list-style-type: none"> • 'annual rate' • 'the appointed day' • 'the commencement day' • 'pension'
		<i>Assignment forfeiture, bankruptcy etc</i>
Section 91	Inalienability of occupational pensions	Provisions relating to assignment; commutation; surrender; lien and set off of a right to a pension or future pension
Section 92	Forfeiture etc	Provisions relating to forfeiture of a right to a pension or future pension
Section 93	Forfeiture by reference to obligations to the employer	Forfeiture may not be prevented if some monetary obligation has been incurred which is due to the employer and arising out of a criminal, negligent or fraudulent act or omission by the person
Section 94	Sections 91 to 93: supplementary	Regulations may make modifications. Definition of: <ul style="list-style-type: none"> • 'pension' • 'charged' • 'assign'

Provisions of the Welfare Reform and Pensions Act 1999	Title of the Provisions	Description of the provisions
Part II	Pensions: General	<i>Pensions and bankruptcy</i>
Section 11	Effect of bankruptcy on pension rights: approved arrangements	<p>Provisions where a bankruptcy order is made against a person on a petition presented after the coming into force of this section, any rights of his under an approved pension arrangement are excluded from his estate.</p> <p>Definition of</p> <ul style="list-style-type: none"> • 'approved pension arrangement' • 'related annuity' • 'exempt approved scheme' • 'approved personal pension arrangement' • 'estate' • 'the Taxes Act'
Section 12	Effect of bankruptcy on pension rights: unapproved arrangements	<p>Regulations may make provision for or in connection with enabling rights of a person under an unapproved pension arrangement to be excluded, in the event of a bankruptcy order being made against that person, from his estate for the purposes of Parts VIII to XI of the Insolvency Act 1986.</p> <p>Definition of</p> <ul style="list-style-type: none"> • 'prescribed' • 'qualifying agreement' • 'unapproved pension arrangement'
Section 13	Section 11 and 12: application to Scotland	Application of provisions to Scotland
Part IV	Pension Sharing Chapter 1: Sharing of rights under Pension arrangements	<i>Indexation</i>

Provisions of the Welfare Reform and Pensions Act 1999	Title of the Provisions	Description of the provisions
Section 40	Other pension schemes	<p>Regulations may make provision for a pension to which subsection (2) applies (eligible pension credit rights and safeguarded rights under a personal pension) to be increased as a minimum by reference to retail prices index but not exceeding 5% per annum. Not applicable to money purchase benefits and pensions in payment on or after the commencement day.</p> <p>Definition of:</p> <ul style="list-style-type: none"> • 'maximum percentage' • 'commencement day' • 'eligible' • 'money purchase benefit' • 'pension credit rights' • 'qualifying occupational pension scheme' • 'relevant pension credit' • 'safeguarded rights'