
STATUTORY INSTRUMENTS

2015 No. 134 (C. 8)

PENSIONS

The Pensions Act 2014 (Commencement No.4) Order 2015

Made - - - - 4th February 2015

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by section 56(1), (4) and (7) of the Pensions Act 2014⁽¹⁾.

Citation

1. This Order may be cited as the Pensions Act 2014 (Commencement No.4) Order 2015.

Commencement of provisions

2.—(1) 5th February 2015 is the day appointed for the coming into force of the provisions of the Pensions Act 2014 listed in paragraph (4) for the purposes of making regulations.

(2) 23rd February 2015 is the day appointed for the coming into force of section 24(2) to (9) of, and Schedule 14 to, the Pensions Act 2014.

(3) 1st October 2015 is the day appointed for the coming into force of section 36 of the Pensions Act 2014.

(4) The provisions of the Pensions Act 2014 mentioned in paragraph (1) are—

- (a) section 2(3);
- (b) section 4(2);
- (c) section 8(3), (7) and (8);
- (d) section 16(1) and (6);
- (e) section 17(4) and (5);
- (f) section 18(1);
- (g) section 19(1) and (3);
- (h) section 22(1);
- (i) paragraph 4 of Schedule 8 and section 13(2) in so far as it relates to that paragraph;
- (j) paragraph 4 of Schedule 10 and section 14(2) in so far as it relates to that paragraph; and
- (k) paragraph 11 of Schedule 11 and section 15 in so far as it relates to that paragraph.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for Work and Pensions.

4th February 2015

Steve Webb
Minister of State,
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Order)

This is the fourth Commencement Order made under the Pensions Act 2014 (c.19). This Order brings into force provisions relating to the new state pension for people reaching pensionable age on or after 6th April 2016 (see Part 1 of that Act) and provisions relating to occupational pension schemes on short service benefits and on the abolition of contracting-out for salary related schemes.

Article 2(1) and (4) brings provisions into force to enable the State Pensions Regulations 2015 (S.I. 2015/119) to be made. Those Regulations set out some of the detailed rules relating to the new state pension, in particular relating to prisoners, deferral of state pension, the minimum number of qualifying years and pension sharing on divorce or dissolution of a civil partnership. The provisions are brought into force on 5th February 2015 for the purposes of enabling the Regulations to be made. (Section 56(4) of the Pensions Act 2014 brings the provisions into force on 6th April 2016 for all other purposes – that is the date the new state pension is introduced.)

Article 2(2) brings into force section 24(2) of the Pensions Act 2014 which gives employers sponsoring contracting-out salary related occupational pension schemes a power to amend the scheme rules to reflect the abolition of contracting-out for these schemes. It also brings provisions into force to enable the Occupational Pension Schemes (Power to Amend Schemes to Reflect Abolition of Contracting-out) Regulations 2015 (S.I. 2015/118) to be made. Those Regulations set out the detail of how the employer’s power may be used, in particular how an actuary is to calculate and certify that the value of the proposed amendments is not greater than the increase in the employer’s national insurance contributions due to the abolition of contracting-out. Amendments made using the power may not take effect before 6th April 2016 when contracting-out is abolished. (Section 56(4) of the Pensions Act 2014 brings amendments to abolish contracting-out for salary related schemes into force on 6th April 2016.)

Article 2(3) brings into force amendments made by section 36 of the Pensions Act 2014 to section 71 of the Pension Schemes Act 1993 (c.48), which provides that a member of an occupational pension scheme with entitlement to money purchase benefits has a right to a short service benefit if they have at least 30 days qualifying service. Such a member’s entitlement to a refund of contributions (a ‘short service refund’) is restricted if they leave the scheme. A short service refund will only be payable if the member leaves within 30 days of joining the scheme.

A full impact assessment has not been published for this Order as it has no impact on the private sector or civil society organisations. An assessment has been made of the impact of the introduction of the new state pension. Copies of that impact assessment may be obtained from the Better Regulation Unit of the Department for Work and Pensions, 2D Caxton House, Tothill Street, London SW1 9NA or from the DWP website: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/311316/pensions-act-ia-annex-a-single-tier-state-pension.pdf . (Annex A contains the assessment for new state pension.) An assessment has also been made of the impact of the abolition of contracting-out. Copies of that impact assessment may be obtained from the same postal address or from the DWP website: <https://www.gov.uk/government/consultations/occupational-pension-schemes-abolition-of-defined-benefit-contracting-out>.

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NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Pensions Act 2014 were brought into force by a Statutory Instrument which was made before this Order was made.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 23 (partially)	1st October 2014	2014/2377
Section 25 (partially)	1st October 2014	2014/2377
Section 33 (partially)	11th September 2014	2014/2377
Sections 37 and 38	11th September 2014	2014/2377
Section 39	12th September 2014	2014/2377
Section 40	11th September 2014	2014/2377
Sections 42 and 43	11th September 2014	2014/2377
Sections 45 and 46	11th September 2014	2014/2377
Section 49	11th September 2014	2014/2377
Section 52	23rd July 2014	2014/1965
Paragraphs 96 and 97(b) of Schedule 12	1st October 2014	2014/2377
Paragraphs 3, 7 and 17 of Schedule 15 (partially)	1st October 2014	2014/2377
Paragraphs 11 and 20 of Schedule 15	13th October 2014	2014/2727
Paragraph 15(1) of Schedule 17 (partially)	11th September 2014	2014/2377
Schedule 18	11th September 2014	2014/2377
Schedule 19	11th September 2014	2014/2377