

PATHways

Pension Administration Technical Help

Highlighting pensions news and legislation that has particular relevance to what we do in pension administration



Pensions cold calling ban a step closer

Financial Guidance and Claims Act 2018

The [Financial Guidance and Claims Act 2018](#) gained Royal Assent on 10 May bringing into force the legislation to create a single public financial guidance body and laying the groundwork to introduce a ban on pension cold calling.

The single financial guidance body

The Act makes provision to establish a new as yet unnamed single financial guidance body ('SFGB') to replace the Money Advice Service (MAS), the Pensions Advisory Service (TPAS) and Pension Wise. The Act sets out the objectives and functions of the SFGB as well as some details of how it will operate and also makes provisions for the transfer of staff, property, rights and liabilities from the existing bodies to the new body.

Pensions cold calling ban

Section 21 of the Act provides for the power to "make regulations prohibiting 'unsolicited direct marketing' relating to pensions" and suggests that the ban will be enforced by the Information Commissioner. It is expected that regulations will be made by the end of June, with the Act including an obligation on the Secretary of State to report to Parliament if this has not been met. It is likely that the ban will not come into force until later in the year, at the earliest.

HMRC: Pension schemes newsletters 98 and 99

HM Revenue & Customs (HMRC) has published [Pension schemes newsletter 98](#) (PSN 98, published 3 May) and [Pension schemes newsletter 99](#) (PSN 99, published 30 May). Both lead with announcements about the new 'Manage and Register Pension Schemes' service, with PSN 98 apologising for a delay in the launch then PSN 99 confirming the first features of the new service will be available for use from 4 June; initially, pension scheme administrator registrations and applications to register a pension scheme.

Selected other topics covered include:

Pension schemes newsletter 98

- Annual allowance calculator – this is currently unavailable to address some issues and development requests
- Trust Registration Service (TRS) – confirmation that trustees of registered pension schemes need not register separately on TRS but also that where trustees choose to do so they should not register as a new trust on TRS if they already have a unique taxpayer reference (UTR)
- Pension flexibility payments and Scottish Income Tax – clarifies which tax code to use in which circumstances

Pension schemes newsletter 99

- Event report – confirmation that HMRC has corrected its long standing inaccurate [send pension scheme reports](#) guidance in relation to reportable events 22 and 23, although not the actual error within the online event report itself via Pension Scheme Online (it seems any online fix may have to wait until event reporting comes under the new 'Manage and Register Pension Schemes' service, planned for a later phase of the migration from Pension Scheme Online)
- Genuine errors – this section adds some context to the genuine errors guidance that appears in the Pensions Tax Manual starting at [PTM146000](#), setting out when it may be possible to use this approach following a clerical error by an independent financial adviser and some situations where the genuine errors guidance cannot apply

HMRC: Countdown bulletin 34

HMRC has published [Countdown bulletin 34](#) which largely focuses on the automation of Scheme Reconciliation Service processes and includes information about:

- Automation of scheme cessation files – HMRC feels a high percentage of automation can be achieved and will identify 'under investigation' queries that it believes are suitable for an automated solution and then upload the automated responses, marking the queries as cleared. HMRC will continue to clerically work on queries that could not be resolved by automation and there is also a mechanism in place for schemes to raise secondary queries on HMRC's automated responses where necessary
- HMRC is also developing a new automated solution for member mismatch cases (member listed in scheme data but not HMRC data or vice versa) and expects to have this ready by the end of August 2018
- Common errors that HMRC encounters when schemes provide automation file submissions, with suggestions on how to avoid these to prevent files being rejected

The Pensions Regulator (TPR) corporate plan for 2018-2021

TPR has [launched](#) its plan for a clearer, quicker and tougher approach to regulating pensions, with TPR Chairman Mark Boyle stating "In the coming year, you can expect to see us being more vocal about our expectations of those we regulate and intervening quickly and decisively through our wide-ranging regulatory activity".

The plan outlines how TPR will focus on key areas of activity and deliver a significant increase in resources to protect pension savers, commenting that during 2018/19 TPR intends to increase its headcount by 12% to meet the demands of its increased workload.

The Corporate Plan [document](#) lists TPR's eight corporate priorities for the period 2018-2021 with a note of the specific activities TPR plans to undertake in relation to each priority during the 2018/19 financial year. The 'Promoting good trusteeship through improving governance and administration' priority states that TPR plans to start reviewing and consolidating existing guidance to make its expectations clearer and will focus on administration and data standards across all schemes.

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