



Statutory Document No. 648/01

RETIREMENT BENEFITS SCHEMES ACT 2000

**THE RETIREMENT BENEFITS SCHEMES ACT 2000
(APPOINTED DAY) (No. 2) ORDER 2001**

In exercise of the powers conferred on the Treasury by section 56 of the Retirement Benefits Schemes Act 2000¹, and of all other enabling powers, the following Order is hereby made:—

Citation and interpretation

1. (1) This Order may be cited as the Retirement Benefits Schemes Act 2000 (Appointed Day) (No. 2) Order 2001.

(2) In this Order –

- (a) references to “the Act” are references to the Retirement Benefits Schemes Act 2000 and references to sections are references to sections of the Act;
- (b) references to “international schemes” are references to ‘international retirement benefits schemes’ as defined in the Retirement Benefits Schemes (International Schemes) Regulations 2001².

Appointed day

2. (1) The provisions specified in Part I of the Schedule shall come into operation on –

- (a) in respect of international schemes which immediately before 1st January 2002 are operating in or from the Island, 1st June 2002;
- (b) in respect of all other international schemes, 1st January 2002.

(2) The provisions specified in Part II of the Schedule shall come into operation on 1st January 2002.

Made 7th November 2001

Minister for the Treasury

¹ 2000 c.14

² SD 645/01

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SCHEDULE

Article 2.

PART I

PROVISIONS OF THE ACT COMING INTO FORCE FOR THE PURPOSE OF INTERNATIONAL SCHEMES ONLY

section 1	promotion of schemes
section 2	application for authorisation
section 11	schedule of payments to certain schemes
section 12	schedule of payments: supplementary
section 15	annual accounts
section 17	professional advisers
section 18	alteration of scheme and changes of trustee, administrator and professional adviser
section 36	retirement benefits scheme administrators

PART II

PROVISIONS OF THE ACT COMING FULLY INTO FORCE

section 3	authorisation
section 4	revocation of authorisation
section 5	representations against revocation
section 6	constitution and management
section 16	publication of scheme particulars
section 19	directors, controllers, etc.
section 20	avoidance of exclusion clauses.
section 25 to 35	powers of supervisions, investigation and intervention
section 38(1), (2) and (4) to (9)	review of Supervisor's decision
section 41	blowing the whistle
section 42	publication of information and advice
section 43	restrictions on disclosure of information
section 44	exceptions from restrictions and disclosure
section 45	public registers
section 46	false and misleading statements
section 47	defence in criminal proceedings
section 48	criminal penalties
section 49	offences by bodies corporate
section 50	civil penalties.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the coming into operation, both wholly and partly, of certain provisions of the Retirement Benefits Schemes Act 2000 (c.14) from the days appointed in the Order.

Article 1 provides for the citation and interpretation.

Article 2(1) establishes the appointed day for the coming into operation, in respect of international schemes only, of those sections of the Act set out in Part I of the Schedule. For international schemes established and operating in or from the Isle of Man immediately before the 1st January 2002, the appointed day is the 1st June 2002. For all other international schemes, the appointed day is the 1st January 2002.

Article 2(2) establishes that the appointed day for the coming into operation, for all schemes, of those sections of the Act set out in Part II of the Schedule is the 1st January 2002.

NOTE AS TO EARLIER APPOINTED DAY ORDERS

(This note is not part of the Order)

The Retirement Benefits Schemes (Appointed Day)(No. 1) Order 2001 (S.D. 173/01) brought into force all of the provisions of the Act to the extent necessary for the purpose of making public documents under the Act.

In addition it brought into force fully the following provisions of the Act –

<i>Provision</i>	<i>Relevant Appointed Day</i>
Section 37	1st April 2001
Sections 38(3) and (10)	1st April 2001
Sections 51 to 56	1st April 2001
Schedules 1 to 3	1st April 2001