
STATUTORY INSTRUMENTS

2019 No. 383

**FINANCIAL SERVICES
CONSUMER PROTECTION**

**The Financial Guidance and Claims Act 2018 (Naming
and Consequential Amendments) Regulations 2019**

<i>Made</i>	- - - -	<i>26th February 2019</i>
<i>Laid before Parliament</i>		<i>4th March 2019</i>
<i>Coming into force</i>	- -	<i>6th April 2019</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 1(3) and (4) of the Financial Guidance and Claims Act 2018⁽¹⁾.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Financial Guidance and Claims Act 2018 (Naming and Consequential Amendments) Regulations 2019 and come into force on 6th April 2019.

(2) In these Regulations “the 2018 Act” means the Financial Guidance and Claims Act 2018.

Naming of the single financial guidance body

2. The single financial guidance body, established under section 1(1) of the 2018 Act, is named the Money and Pensions Service.

Consequential amendments

3. The amendments set out in the Schedule have effect.

Status: This is the original version (as it was originally made).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

26th February 2019

Guy Opperman
Parliamentary Under Secretary of State
Department for Work and Pensions

SCHEDULE

Regulation 3

Consequential amendments

PART 1

Primary legislation

Amendment of the Public Records Act 1958

1. In Schedule 1 to the Public Records Act 1958(2) (definition of public records), in Part 2 of the Table at the end of paragraph 3—

- (a) omit “The single financial guidance body.”;
- (b) at the appropriate place insert “Money and Pensions Service.”.

Amendment of the Parliamentary Commissioner Act 1967

2. In Schedule 2 to the Parliamentary Commissioner Act 1967(3) (departments etc subject to investigation)—

- (a) omit “The single financial guidance body.”;
- (b) at the appropriate place insert “Money and Pensions Service.”.

Amendment of the House of Commons Disqualification Act 1975

3. In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975(4) (bodies of which all members are disqualified)—

- (a) omit “The single financial guidance body.”;
- (b) at the appropriate place insert “The Money and Pensions Service.”.

Amendment of the Northern Ireland Assembly Disqualification Act 1975

4. In Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975(5) (bodies of which all members are disqualified)—

- (a) omit “The single financial guidance body.”;
- (b) at the appropriate place insert “The Money and Pensions Service.”.

Amendment of the Pension Schemes Act 1993

5. In section 175(1)(e) of the Pension Schemes Act 1993(6) (power to make regulations imposing levies to meet certain expenditure) for “single financial guidance body’s” substitute “Money and Pensions Service’s”.

(2) 1958 c. 51. “The single financial guidance body” entry was inserted by the Financial Guidance and Claims Act 2018 (c. 10) (“the 2018 Act”), section 25, Schedule 3, paragraph 1.

(3) 1967 c. 13. “The single financial guidance body” entry was inserted by the 2018 Act, section 25, Schedule 3, paragraph 2.

(4) 1975 c. 24. “The single financial guidance body” entry was inserted by the 2018 Act, section 25, Schedule 3, paragraph 3.

(5) 1975 c. 25. “The single financial guidance body” entry was inserted by the 2018 Act, section 25, Schedule 3, paragraph 4.

(6) 1993 c. 48. Section 175 was substituted by the Pensions Act 1995 (c. 26), section 165 and amended by the 2018 Act, section 12.

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Amendment of the Pension Schemes (Northern Ireland) Act 1993

6. In section 170(1)(e) of the Pension Schemes (Northern Ireland) Act 1993(7) (power to make regulations imposing levies to meet certain expenditure) for “single financial guidance body’s” substitute “Money and Pensions Service’s”.

Amendment of the Financial Services and Markets Act 2000

7. In the Financial Services and Markets Act 2000(8)—

- (a) in section 3R(4)(a)(9) (arrangements for provision of services) for “single financial guidance body” substitute “Money and Pensions Service”;
- (b) in section 137FC(10) (FCA rules: disclosure of information about the availability of financial guidance)—
 - (i) in subsection (3)(c) for “single financial guidance body” substitute “Money and Pensions Service”,
 - (ii) in subsection (4) for “single financial guidance body’s” substitute “Money and Pensions Service’s”;
- (c) in section 137SA(11) (rules to recover expenses relating to the single financial guidance body) in the heading, and in subsection (1)(a) and (b) for “single financial guidance body” substitute “Money and Pensions Service”;
- (d) in Schedule 1ZA(12) (the Financial Conduct Authority) in paragraph 8(3A) for “single financial guidance body” substitute “Money and Pensions Service”.

Amendment of the Freedom of Information Act 2000

8. In Part 6 of Schedule 1 to the Freedom of Information Act 2000(13) (public authorities: general)—

- (a) omit “The single financial guidance body.”;
- (b) at the appropriate place insert “The Money and Pensions Service.”.

Amendment of the Equality Act 2010

9. In Part 1 of Schedule 19 to the Equality Act 2010(14) (public authorities: general), under the heading “Industry, business, finance etc”—

- (a) omit “The single financial guidance body.”;
- (b) at the appropriate place insert “The Money and Pensions Service.”.

Amendment of the Financial Services Act 2012

10. In section 85(4A) of the Financial Services Act 2012(15) (relevant functions in relation to complaints scheme) for “single financial guidance body” substitute “Money and Pensions Service”.

(7) 1993 c. 49. Section 170 was substituted by S.I 1995/3213 (N.I. 22), article 161 and amended by the 2018 Act, section 12.

(8) 2000 c. 8.

(9) Part 1A was substituted by the Financial Services Act 2012 (c. 21), section 6. Section 3R(4)(a) was substituted by the 2018 Act, section 25, Schedule 3, paragraphs 5 and 11.

(10) Section 137FC was inserted by the 2018 Act, section 20.

(11) Section 137SA was inserted by the 2018 Act, section 13(1).

(12) Schedule 1ZA was substituted by the Financial Services Act 2012, section 6(2), Schedule 3. Paragraph 8(3A) was inserted by the 2018 Act, section 25, Schedule 3 paragraphs 5 and 21.

(13) 2000 c. 36. “The single financial guidance body” entry was inserted by the 2018 Act, section 25, Schedule 3, paragraph 23.

(14) 2010 c. 15. “The single financial guidance body” entry was inserted by the 2018 Act, section 25, Schedule 3, paragraph 24.

(15) Section 85(4A) was inserted by the 2018 Act, section 25, Schedule 3, paragraphs 28 and 30.

Amendment of the Financial Guidance and Claims Act 2018

11. In section 18(4) of the 2018 Act(16) (personal pension schemes: requirements to refer members to guidance etc), in the inserted subsection (2A)(b) of section 137FB of the Financial Services and Markets Act 2000(17), for “single financial guidance body” substitute “Money and Pensions Service”.

PART 2

Secondary legislation

Amendment of the Housing (Right to Buy) (Prescribed Forms) Regulations 1986

12. In the form set out in Schedule 1 to the Housing (Right to Buy) (Prescribed Forms) Regulations 1986(18) for “Money Advice Service: 0300 500 5000; www.moneyadviceservice.org.uk” substitute “Money and Pensions Service: 0115 965 9570; www.moneyandpensionsservice.org.uk”.

Amendment of the Personal and Occupational Pension Schemes (Pensions Ombudsman) (Procedure) Rules 1995

13. In rule 2(2) of the Personal and Occupational Pension Schemes (Pensions Ombudsman) (Procedure) Rules 1995(19) (provision of details of complaint made or dispute referred) omit sub-paragraph (d).

Amendment of the Personal and Occupational Pension Schemes (Pensions Ombudsman) (Procedure) Rules (Northern Ireland) 1995

14. In rule 2(2) of the Personal and Occupational Pension Schemes (Pensions Ombudsman) (Procedure) Rules (Northern Ireland) 1995(20) (provision of details of complaint made or dispute referred) omit sub-paragraph (d).

Amendment of the Occupational Pension Schemes (Transfer Values) Regulations 1996

15. In paragraph 3(a) of Schedule 1 to the Occupational Pension Schemes (Transfer Values) Regulations 1996(21) (information to be made available to members) for “Pensions Advisory Service” substitute “Money and Pensions Service”.

Amendment of the Occupational Pension Schemes (Transfer Values) Regulations (Northern Ireland) 1996

16. In paragraph 3(a) of Schedule 1 to the Occupational Pension Schemes (Transfer Values) Regulations (Northern Ireland) 1996(22) (information to be made available to members) for “Pensions Advisory Service” substitute “Money and Pensions Service”.

(16) Section 18(4) is not yet in force.

(17) 2000 c. 8.

(18) S.I. 1986/2194. Schedule 1 was revoked with saving in relation to Wales by S.I. 2015/1320 and was substituted in relation to England by S.I. 2015/1542.

(19) S.I. 1995/1053, amended by S.I. 1996/2638; there are other amending instruments but none is relevant.

(20) S.R. 1995 No. 167, amended by S.R. 1997 No. 38.

(21) S.I. 1996/1847; relevant amending instruments are S.I. 2008/1050, 2013/472 and 2015/498.

(22) S.R. 1996 No. 619; relevant amending instruments are S.R. 2008 No. 370, S.I. 2013/472 and S.R. 2015 No. 164.

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Amendment of the Government Resources and Accounts Act 2000 (Audit of Non-profit-making Companies) Order 2009

17. In the Schedule (list of companies) to the Government Resources and Accounts Act 2000 (Audit of Non-profit-making Companies) Order 2009⁽²³⁾—

- (a) omit the entry for “The Pensions Advisory Service”;
- (b) at the appropriate place insert the entry set out in the following table—

<i>Company name</i>	<i>Date</i>	<i>Company number</i>
Money and Pensions Service	1 April 2019	

Amendment of the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008

18. In regulation 2(1) of the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008⁽²⁴⁾ (information requirements)—

- (a) in sub-paragraph (a) for “TPAS (the Pensions Advisory Service)” substitute “the Money and Pensions Service”;
- (b) in sub-paragraph (b) for “TPAS” substitute “the Money and Pensions Service”.

Amendment of the Occupational Pension Schemes (Internal Dispute Resolution Procedures) (Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2008

19. In regulation 2(1) of the Occupational Pension Schemes (Internal Dispute Resolution Procedures) (Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2008⁽²⁵⁾ (information requirements)—

- (a) in sub-paragraph (a) for “TPAS (the Pensions Advisory Service)” substitute “the Money and Pensions Service”;
- (b) in sub-paragraph (b) for “TPAS” substitute “the Money and Pensions Service”.

Amendment of the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011

20. In regulation 12(3) of the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011⁽²⁶⁾ (notice of decision on reconsideration)—

- (a) in sub-paragraph (d) for “Pensions Advisory Service” substitute “Money and Pensions Service”;
- (b) in sub-paragraph (f) for “Pensions Advisory service” substitute “Money and Pensions Service”.

Amendment of the Local Government Pension Scheme Regulations 2013

21. In the Local Government Pension Scheme Regulations 2013⁽²⁷⁾ in—

- (a) regulation 75(3)(e) (decisions of the adjudicator), and

⁽²³⁾ S.I. 2009/476, to which there are amendments not relevant to these Regulations.

⁽²⁴⁾ S.I. 2008/649.

⁽²⁵⁾ S.R. 2008 No. 116, to which there are amendments not relevant to these Regulations.

⁽²⁶⁾ S.I. 2011/2954.

⁽²⁷⁾ S.I. 2013/2356, to which there are amendments not relevant to these Regulations.

(b) regulation 77(3)(d) and (f) (decisions of the administering authority on reconsideration), for “Pensions Advisory Service” substitute “Money and Pensions Service”.

Amendment of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013

22. In the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013(28), in Schedule 2 (basic information) in—

- (a) paragraph 10(a), and
- (b) paragraph 24(a),

for “Pensions Advisory Service” substitute “Money and Pensions Service”.

Amendment of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014

23. In the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014(29) in Schedule 2 (basic information) in—

- (a) paragraph 10(a), and
- (b) paragraph 24(a),

for “Pensions Advisory Service” substitute “Money and Pensions Service”.

Amendment of the Local Government Pension Scheme Regulations (Northern Ireland) 2014

24. In the Local Government Pension Scheme Regulations (Northern Ireland) 2014(30)—

- (a) in regulation 85(3)(e) (notice of decisions by the appointed person under regulation 84) for “Pensions Advisory Service” substitute “Money and Pensions Service”;
- (b) in regulation 87(3)(e) (notice of decisions by the Committee under regulation 86), for “Pension Advisory Service” in each place it occurs, substitute “Money and Pensions Service”.

Amendment of the Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015

25. In the table in Schedule 4 (specified “public authorities” and list of Government Departments and other bodies whose views must be sought) to the Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015(31) at the appropriate place insert the entry set out in the following table—

<i>Column (1)</i>	<i>Column (2)</i>
<i>Public Authority</i>	<i>Government Department or other body whose view must be sought</i>
Money and Pensions Service	Department for Work and Pensions

(28) S.I. 2013/2734, to which there are amendments not relevant to these Regulations.

(29) S.R. 2014 No. 79, to which there are amendments not relevant to these Regulations.

(30) S.R. 2014 No. 188, to which there are amendments not relevant to these Regulations.

(31) S.I. 2015/17, to which there are amendments not relevant to these Regulations.

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Amendment of the National Assembly for Wales (Disqualification) Order 2015

26. In the table in the Schedule (offices disqualifying holders from membership of the National Assembly of Wales) to the National Assembly for Wales (Disqualification) Order 2015⁽³²⁾—

- (a) omit the entry for “Pensions Advisory Service”;
- (b) at the appropriate place insert the entry set out in the following table—

<i>First Column</i>	<i>Second Column</i>
Money and Pensions Service	Directors

Amendment of the Payment Accounts Regulations 2015

27. In the Payment Accounts Regulations 2015⁽³³⁾—

- (a) in regulation 2(1) (interpretation)—
 - (i) omit the definition of “Money Advice Service”;
 - (ii) at the appropriate place insert—
 - ““Money and Pensions Service” means the body established under section 1 of the Financial Guidance and Claims Act 2018;”;
- (b) in regulation 12 (the comparisons website) for “Money Advice Service” in both places it occurs, substitute “Money and Pensions Service”;
- (c) in regulation 27(1) (general information on payment accounts with basic features) for “Money Advice Service” substitute “Money and Pensions Service”;
- (d) in regulation 43(1)(b) (evaluation) for “Money Advice Service” substitute “Money and Pensions Service”.

Amendment of the Local Government Pension Scheme (Scotland) Regulations 2018

28. In the Local Government Pension Scheme (Scotland) Regulations 2018⁽³⁴⁾ in—

- (a) regulation 70(3)(e) (notice of decisions on disagreements), and
 - (b) regulation 72(3)(e) (notice of decisions on reconsideration of disagreement),
- for “Pensions Advisory Service” in each place it occurs, substitute “Money and Pensions Service”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations names the single financial guidance body, the body established under section 1 of the Financial Guidance and Claims Act 2018 (c. 10) (“the 2018 Act”), as the Money and Pensions Service.

⁽³²⁾ S.I. 2015/1536, to which there are amendments not relevant to these Regulations.

⁽³³⁾ S.I. 2015/2038, to which there are amendments not relevant to these Regulations.

⁽³⁴⁾ S.S.I. 2018/141.

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Regulation 3 of, and the Schedule to these Regulations make consequential amendments to legislation as a result of naming the Money and Pensions Service and as a consequence of functions previously carried out by the Pensions Advisory Service and the Money Advice Service now being functions of the Money and Pensions Service (see section 3 of the 2018 Act).

An impact assessment has not been prepared for this instrument because a full, up to date, impact assessment was completed for the Financial Guidance and Claims Act 2018 and can be found at the following link:

https://www.legislation.gov.uk/ukpga/2018/10/pdfs/ukpgaod_20180010_en_002.pdf.

Copies may also be obtained from the Better Regulation Unit of the Department for Work and Pensions, 4th Floor, Caxton House, Tothill Street, London SW1H 9NA.