



Pensions Act 1995

1995 CHAPTER 26

PART III

CERTIFICATION OF PENSION SCHEMES AND EFFECTS ON MEMBERS' STATE SCHEME RIGHTS AND DUTIES

Miscellaneous

147 **Monitoring personal pension schemes**

After section 33 of the Pension Schemes Act 1993 there is inserted—

“33A Appropriate schemes: “Blowing the whistle”

- (1) If any person acting as an auditor or actuary of an appropriate scheme has reasonable cause to believe that—
 - (a) any requirement which, in the case of the scheme, is required by section 9(5)(a) to be satisfied is not satisfied, and
 - (b) the failure to satisfy the requirement is likely to be of material significance in the exercise by the Secretary of State of any of his functions relating to appropriate schemes,that person must immediately give a written report of the matter to the Secretary of State.
- (2) No duty to which a person acting as auditor or actuary of an appropriate scheme is subject shall be regarded as contravened merely because of any information or opinion contained in a written report under this section.”