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STATUTORY INSTRUMENTS

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**2009 No. 617**

**PENSIONS**

**The Pensions Regulator (Miscellaneous  
Amendment) Regulations 2009**

<i>Made</i>	- - - -	<i>11th March 2009</i>
<i>Laid before Parliament</i>		<i>16th March 2009</i>
<i>Coming into force</i>	- -	<i>6th April 2009</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 43(9), 69(2), 315(2) and 318(1) of the Pensions Act 2004<sup>(1)</sup>.

In accordance with section 317(1) of that Act the Secretary of State has consulted such persons as the Secretary of State considers appropriate.

**Citation and commencement**

1. These Regulations may be cited as the Pensions Regulator (Miscellaneous Amendment) Regulations 2009 and shall come into force on 6th April 2009.

**Amendment of the Pensions Regulator (Financial Support Directions etc.) Regulations 2005**

2.—(1) The Pensions Regulator (Financial Support Directions etc.) Regulations 2005<sup>(2)</sup> are amended in accordance with this regulation.

(2) For regulation 5 (prescribed period), substitute—

**“Prescribed period**

5.—(1) Subject to paragraph (2), the period prescribed for the purposes of section 43(9) (financial support directions – prescription of relevant time) is 24 months.

(2) Until 6th April 2010 (the “Transition Date”), the period at paragraph (1) is reduced by a period equal to the number of complete months then remaining until the Transition Date.

(3) For the purposes of paragraph (2), a complete month means a period from and including the sixth day of a month to and including the fifth day of the following month.”.

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(1) 2004 c.35; section 318(1) is cited because of the meaning it gives to “prescribed” and “regulations”.  
(2) S.I. 2005/2188, amended by S.I. 2005/2224 and 2008/731.

### **Amendment of the Pensions Regulator (Notifiable Events) Regulations 2005**

**3.**—(1) The Pensions Regulator (Notifiable Events) Regulations 2005<sup>(3)</sup> are amended in accordance with this regulation.

(2) In regulation 1(2) (interpretation), omit the definition of “key employer posts” and “key scheme posts”.

(3) In regulation 2 (notifiable events)—

- (a) in paragraph (1), omit sub-paragraph (b); and
- (b) in paragraph (2), omit sub-paragraphs (e) and (g).

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

*William D. McKenzie.*  
Parliamentary Under-Secretary of State,  
Department for Work and Pensions

11th March 2009

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(3) [S.I. 2005/900](#), amended by [S.I. 2005/2113](#).

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Pensions Regulator (Financial Support Directions etc.) Regulations 2005 (S.I. 2005/2188) and the Pensions Regulator (Notifiable Events) Regulations 2005 (S.I. 2005/900).

Regulation 1 provides for citation and commencement.

Regulation 2 amends the Pensions Regulator (Financial Support Directions etc.) Regulations 2005 by substituting regulation 5 of those Regulations with a new provision which specifies the period within which the Pensions Regulator may determine to issue a financial support direction under section 43(2) of the Pensions Act 2004 (c.35).

Regulation 3 amends the Pensions Regulator (Notifiable Events) Regulations 2005 by omitting certain provisions of regulation 2 of those Regulations which concern the reporting of certain scheme and employer-related events to the Pensions Regulator.

A full impact assessment has not been published for this instrument as it has only a negligible impact on the private, public and voluntary sectors.