



2016 CHAPTER 1

PART 2

COLLECTIVE BENEFITS

*Investment*

**Statement of investment strategy**

**14.—**(1) Regulations may require the trustees or managers of a pension scheme to prepare a statement of their investment strategy in connection with any collective benefit investments.

(2) The regulations may, in particular, make provision about—

- (a) the content of the statement;
- (b) reviewing and revising the statement.

(3) The regulations may, in particular—

- (a) make provision corresponding or similar to any provision made by Article 35 of the 1995 Order (investment principles for occupational trust-based schemes);
- (b) disapply that Article in relation to any investments to which the regulations apply.

**Investment performance reports**

**15.—**(1) Regulations may require the trustees or managers of a pension scheme to obtain reports about the performance of any collective benefit investments.

(2) The regulations may, in particular, make provision about—

- (a) the content of reports;
- (b) how often reports must be obtained;
- (c) the person from whom reports must be obtained.

**Investment powers****16.—(1)** Regulations may make provision about—

- (a) the investment powers of the trustees or managers of a pension scheme in connection with collective benefit investments;
  - (b) their powers to delegate decisions in connection with collective benefit investments (including provision as to liability for delegated decisions);
  - (c) the investment powers of any person to whom they have delegated decisions in connection with collective benefit investments.
- (2) The regulations may, in particular—
- (a) make provision corresponding or similar to any provision made by Article 34 or 36 of the 1995 Order (powers of investment and delegation and choice of investments for occupational trust-based schemes);
  - (b) disapply those Articles in relation to collective benefit investments.

**Restriction on borrowing by trustees or managers**

**17.—(1)** Regulations may prohibit a person to whom this section applies from borrowing money or acting as a guarantor except in specified cases.

(2) This section applies to—

- (a) the trustees or managers of a pension scheme under which any of the benefits that may be provided are collective benefits, and
- (b) any person to whom they have delegated decisions in connection with collective benefit investments.

**Investment powers: duty of care**

**18.—(1)** Regulations may make provision to prevent any instrument or agreement from excluding or restricting any liability of the trustees or managers of a pension scheme, or any person to whom they have delegated decisions, in respect of the performance of investment functions involving collective benefit investments.

(2) The regulations may, in particular—

- (a) make provision corresponding or similar to any provision made by Article 33 of the 1995 Order (duty of care in respect of investment powers for occupational trust-based schemes);
- (b) disapply that Article in relation to collective benefit investments.