



Pensions Act 1995

1995 CHAPTER 26

PART I

OCCUPATIONAL PENSIONS

Trustees: general

31 Trustees not to be indemnified for fines or civil penalties

- (1) No amount may be paid out of the assets of a trust scheme for the purpose of reimbursing, or providing for the reimbursement of, any trustee of the scheme in respect of—
 - (a) a fine imposed by way of penalty for an offence of which he is convicted, or
 - (b) a penalty which he is required to pay under section 10 or under section 168(4) of the Pension Schemes Act 1993.
- (2) For the purposes of subsection (1), providing for the reimbursement of a trustee in respect of a fine or penalty includes (among other things) providing for the payment of premiums in respect of a policy of insurance where the risk is or includes the imposition of such a fine or the requirement to pay such a penalty.
- (3) Where any amount is paid out of the assets of a trust scheme in contravention of this section, sections 3 and 10 apply to any trustee who fails to take all such steps as are reasonable to secure compliance.
- (4) Where a trustee of a trust scheme—
 - (a) is reimbursed, out of the assets of the scheme or in consequence of provision for his reimbursement made out of those assets, in respect of any of the matters referred to in subsection (1)(a) or (b), and
 - (b) knows, or has reasonable grounds to believe, that he has been reimbursed as mentioned in paragraph (a),then, unless he has taken all such steps as are reasonable to secure that he is not so reimbursed, he is guilty of an offence.

Status: This is the original version (as it was originally enacted).

- (5) A person guilty of an offence under subsection (4) is liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum, and
 - (b) on conviction on indictment, to imprisonment, or a fine, or both.