



Welfare Reform and Pensions Act 1999

1999 CHAPTER 30

PART I

STAKEHOLDER PENSION SCHEMES

2 Registration of stakeholder pension schemes.

- (1) The Occupational Pensions Regulatory Authority [^{F1}“ Authority ”,] shall keep a register of stakeholder pension schemes.
- (2) Subject to subsection (3), the Authority shall register a pension scheme under this section if the trustees of the scheme, or any person or persons prescribed in relation to the scheme—
 - (a) make an application for the purpose and pay such fee as the Authority may determine; and
 - (b) declare that each of the following is fulfilled in relation to the scheme, namely—
 - (i) the conditions set out in subsections (2) [^{F2} [^{F3} to (10) [^{F3} to (9)]]] of section 1; and
 - (ii) such other conditions as may be prescribed under subsection (1) of that section.
- (3) Where the Authority are satisfied on reasonable grounds that any of those conditions is not fulfilled in relation to a pension scheme, the Authority may [^{F4}“ by direction ”,]—
 - (a) refuse to register the scheme; or
 - (b) where the scheme is registered under this section, remove it from the register.
- (4) [^{F5}Section 10 of the Pensions Act 1995 (“the 1995 Act”) (civil penalties) applies to any trustee of a pension scheme which is or has been registered under this section, and] to any person prescribed in relation to such a scheme, if—
 - (a) he fails to take all such steps as are reasonable to secure that each of those conditions is fulfilled in relation to the scheme or (as the case may be) while the scheme was so registered he failed to take all such steps as were reasonable to secure that each of those conditions was so fulfilled; or

Changes to legislation: There are currently no known outstanding effects for the Welfare Reform and Pensions Act 1999, Section 2. (See end of Document for details)

- (b) where the scheme was registered on his application, any of those conditions was not fulfilled in relation to the scheme at the time of the application.

^{F6}(5)

^{F6}(6)

(7) The Secretary of State may by regulations make provision—

- (a) for the register, or extracts from the register, or for copies of the register or of extracts from the register, to be open to inspection by, and
- (b) for copies of the register, or of extracts from it, to be supplied to, such persons, in such manner, at such times, on payment of such fees, and subject to such other terms and conditions, as may be prescribed.

Textual Amendments

- F1** Word in s. 2(1) substituted (6.4.2005) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), [Sch. 12 para. 73\(a\)](#); [S.I. 2005/695](#), art. 2(7), [Sch. 1](#)
- F2** Words in s. 2(2)(b)(i) substituted (6.4.2005) by [Pensions Act 2004 \(c. 35\)](#), [ss. 285\(5\)](#), 322(1) (with s. 313); [S.I. 2005/275](#), art. 2(7), [Sch. Pt. 7](#)
- F3** Words in s. 2(2)(b)(i) substituted (26.9.2007 for specified purposes, 6.4.2012 in so far as not already in force, that being "the abolition date" for the purposes of s. 15(1) of the amending Act) by [Pensions Act 2007 \(c. 22\)](#), [ss. 15\(4\)](#), [30\(2\)\(b\)](#), (3), [Sch. 4 para. 38](#) (with [Sch. 4 Pt. 3](#)); [S.I. 2011/1267](#), art. 2(a)
- F4** Words in s. 2(3) inserted (6.4.2005) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), [Sch. 12 para. 73\(b\)](#); [S.I. 2005/695](#), art. 2(7), [Sch. 1](#)
- F5** Words in s. 2(4) substituted (6.4.2005) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), [Sch. 12 para. 73\(c\)](#); [S.I. 2005/695](#), art. 2(7), [Sch. 1](#)
- F6** S. 2(5)(6) repealed (6.4.2005) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), [Sch. 13](#); [S.I. 2005/695](#), art. 2(7), [Sch. 1](#)

Commencement Information

- I1** S. 2 wholly in force at 1.10.2000; s. 2 in force for certain purposes at Royal Assent see s. 89(1)(5); s. 2 in force at 1.10.2000 insofar as not already in force by [S.I. 2000/1047](#), art. 2(2)(c), [Sch. Pt. III](#)

Changes to legislation:

There are currently no known outstanding effects for the Welfare Reform and Pensions Act 1999, Section 2.