
STATUTORY INSTRUMENTS

1997 No. 3038

**The Personal and Occupational Pension Schemes
(Miscellaneous Amendments) (No. 2) Regulations 1997**

Amendment of the Occupational Pension Schemes (Minimum Funding Requirement and Actuarial Valuations) Regulations 1996

4.—(1) The Occupational Pension Schemes (Minimum Funding Requirement and Actuarial Valuations) Regulations 1996(1) shall have effect with the following amendments.

(2) In regulation 28(1) (exemptions from minimum funding requirement)—

(a) at the end of sub-paragraph (g) omit the word “or”;

(b) at the end of sub-paragraph (h) add—

“; or

(i) to the Chatsworth Settlement Estate Pension Scheme.”.

(3) In regulation 28(3) omit the words “at an applicable time (as defined in subsection (3) of that section)”.

(4) After regulation 28(3) insert—

“(3A) Paragraph (3) shall apply in the case of a debt which has arisen under section 144 of the Pension Schemes Act 1993(2) (deficiencies in the assets of a scheme on winding up) as if it were a debt arising under section 75.”.

(5) In regulation 29 (modifications) after paragraph (d) add—

“(e) schemes which are exempt from the requirement to appoint an actuary.”.

(6) In Schedule 5 (modifications) after paragraph 6 add—

“Schemes which are not required to appoint an actuary

7. Where a scheme is exempt from the application of section 47(1)(b) (requirement to appoint a scheme actuary) by virtue of regulations made under subsection (5) of that section(3), sections 56 to 60 and these Regulations shall apply as if references to the actuary were to an actuary authorised by the trustees or managers to provide such valuations or certifications as may be required under those sections and these Regulations.”.

(1) S.I.1996/1536; a relevant amending instrument is S.I. 1997/786.

(2) Section 144 was repealed by paragraph 38 of Schedule 3 to the Pensions Act 1995 subject to the savings in S.I. 1997/664.

(3) See regulation 3(2) of the Occupational Pension Schemes (Scheme Administration) Regulations 1996 (S.I. 1996/1715).