
STATUTORY INSTRUMENTS

2005 No. 600

**The Pension Protection Fund
(Reviewable Matters) Regulations 2005**

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Pension Protection Fund (Reviewable Matters) Regulations 2005 and shall come into force on 6th April 2005.

(2) In these Regulations “the Act” means the Pensions Act 2004.

Reviewable matters: failures by the Board

2. Any reference in any paragraph in Schedule 9 to the Act (reviewable matters) specified in column 1 of the Schedule to these Regulations to a failure by the Board to do any act or make any determination is to be construed as a reference to a failure by the Board to do the act or make the determination within the period specified in the corresponding paragraph in the second column of that Schedule.

Modification of Schedule 9 to the Act

3. In relation to a partially guaranteed scheme, Schedule 9 to the Act applies as if—

- (a) in paragraph 8 (failure by the Board to obtain an actuarial valuation), after the word “valuation” there were inserted the words “of the unsecured part”(1);
- (b) in paragraph 9 (approval, or failure to approve, a valuation), after the word “respect” there were inserted the words “of the unsecured part”;
- (c) after paragraph 15 (failure by the Board to give a transfer notice), there were inserted the following paragraphs—

“15A. The failure by the Board to obtain an actuarial valuation of the assets and protected liabilities of the unsecured part of an eligible scheme under section 160(4A)(2).

15B. The approval of, or failure to approve, a valuation of the assets and protected liabilities of the unsecured part of an eligible scheme under section 144(2) as applied for the purposes of section 160(4A)(3).”.

Amendment of Schedule 9 to the Act

4. Schedule 9 to the Act shall be amended as follows—

- (a) after paragraph 3 (the issue of, or failure to issue, a notice under section 122 by the Board by virtue of section 124) there shall be inserted—

(1) See section 318(1) of the Act as modified by regulation 11 of S.I.2005/277.

(2) Section 160(4A) is inserted by S.I.2005/277.

(3) See regulation 10(1)(b) of S.I.2005/277.

“**3A.** The issue of, or failure to issue, a validation notice under regulation 2(5) of the Pension Protection Fund (Entry Rules) Regulations 2005 ([S.I.2005/590](#)) (determination to validate or not to validate an estimate and statement provided by the actuary).”;

- (b) after paragraph 17 (failure by the Board to make a payment required by section 163(4) (b)) there shall be inserted—

“**17A.** The making of a payment under section 166(2) (amount of any pensions or other benefits which a person had become entitled to payment of under the scheme rules), the amount of any such payment or the failure to make such a payment.”.

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

10th March 2005

Malcolm Wicks
Minister of State,
Department for Work and Pensions