
STATUTORY INSTRUMENTS

2005 No. 842

The Occupational Pension Schemes (Levies) Regulations 2005

PART 1

PRELIMINARY

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Occupational Pension Schemes (Levies) Regulations 2005.

(2) These Regulations come into force on 1st April 2005.

(3) These Regulations extend to England and Wales and Scotland.

Interpretation

2. In these Regulations—

“the 1993 Act” means the Pension Schemes Act 1993 ^{M1};

“the 1995 Act” means the Pensions Act 1995 ^{M2};

“the 2004 Act” means the Pensions Act 2004;

“active member”, in relation to a scheme, has the meaning given by section 318 of the 2004 Act (but subject to regulation 10(7));

“the administration levy” means the levy imposed under section 117 of the 2004 Act by regulation 4(1);

“deferred member” has the meaning given by section 124(1) of the 1995 Act (but subject to regulation 10(7));

“eligible scheme” has the meaning given by section 126 of the 2004 Act (but subject to regulations 15 to 18);

“financial year” means a period of 12 months ending with 31st March;

“the initial levy” means the levy imposed under section 174 of the 2004 Act by regulation 9;

“the initial period” means the period provided for by regulation 8;

“life member”, in relation to a scheme, means a person who is an active member but whose service under the scheme is only pensionable service by virtue of qualifying him for death benefits;

“member”, in relation to a scheme, has the meaning given by section 318 of the 2004 Act (but subject to regulations 5(6) and 11(4));

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“pension credit member” has the meaning given by section 124(1) of the 1995 Act ^{M3};

“pension credit rights” has the meaning given by section 124(1) of the 1995 Act;

“pension protection levy” means a levy imposed in accordance with section 175 of the 2004 Act;

“pensionable service” has the meaning given by section 124(1) of the 1995 Act;

“pensioner member” has the meaning given by section 124(1) of the 1995 Act ^{M4};

“registrable scheme” has the meaning given by section 59(2) of the 2004 Act and regulations made under that section;

“scheme year”, in relation to a scheme, means—

- (a) a year specified for the purpose of the scheme in any document comprising the scheme or, if none, a period of 12 months beginning on 1st April or on such other date as the trustees or managers select; or
- (b) such other period (if any) exceeding 6 months but not exceeding 18 months as is selected by the trustees or managers—
 - (i) in connection with the commencement or termination of the scheme; or
 - (ii) in connection with a variation of the date on which the year or period referred to in paragraph (a) is to begin.

F1 Words in reg. 2 omitted (1.4.2007) by virtue of [Occupational Pension Schemes \(Levies\) \(Amendment\) Regulations 2007 \(S.I. 2007/994\)](#), regs. 1(3), 2(2)

Marginal Citations

M1 1993 c. 48.

M2 1995 c. 26.

M3 The definitions of “pension credit member” and “pension credit rights” were inserted by paragraph 61 of Schedule 12 to the [Welfare Reform and Pensions Act 1999 \(c. 30\)](#).

M4 A relevant amendment of section 124(1) was made by paragraph 69(2) of Schedule 12 to the Pensions Act 2004.

Changes to legislation:

There are currently no known outstanding effects for the The Occupational Pension Schemes (Levies) Regulations 2005, PART 1.