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STATUTORY INSTRUMENTS

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**2006 No. 802**

**The Occupational Pension Schemes  
(Payments to Employer) Regulations 2006**

**PART 4**

Schemes in wind up

**Circumstances in which the Regulator must be satisfied that requirements of section 76 of the 1995 Act are met**

**16.**—(1) For the purposes of section 76(2) of the 1995 Act the prescribed circumstances are that—

- (a) subject to paragraph (2), in relation to any proposal to which that section applies, the Regulator receives—
  - (i) written representations from a member to the effect that any requirements of section 76(3) of the 1995 Act are not satisfied; or
  - (ii) information from any source sufficient to raise a doubt as to whether all the requirements are satisfied; and
- (b) the Regulator notifies the trustees or, as the case may be, the employer in writing that the power should not be exercised until the Regulator has confirmed in writing that it is satisfied that those requirements are satisfied.

(2) Where notice has been given to a member in accordance with regulation 15(3), paragraph (1) (a)(i) shall only apply in the case of representations received by the Regulator from the member before the date specified in accordance with regulation 15(4)(b) (expiry date of the second part of notice).

**Changes to legislation:**

There are currently no known outstanding effects for the The Occupational Pension Schemes (Payments to Employer) Regulations 2006, Section 16.