
STATUTORY INSTRUMENTS

2009 No. 814

The Amendments to Law (Resolution of
Dunfermline Building Society) Order 2009

PART 2

THE TRANSFER

Pensions

5.—(1) No relevant person is to be treated as a person connected with, or an associate of, Dunfermline Building Society for the purposes of the following provisions of the Pensions Act 2004⁽¹⁾—

- (a) section 38 (contribution notices where avoidance of employer debt);⁽²⁾
- (b) section 43 (financial support directions).

(2) Relevant persons are—

- (a) the Bank of England;
- (b) persons employed by or under, or acting on the behalf of, the Bank of England.

(3) From the transfer time Dunfermline Nominees is to have no liability, including any liability arising by virtue of sections 38 and 43 of the Pensions Act 2004, with regard to the liabilities of the pension scheme by reason of any fact, matter or circumstance occurring or existing prior to the transfer time and accordingly no proceedings may be brought in respect of such matters.

(4) In paragraph (3), “pension scheme” has the meaning given in paragraph 2 of the Property Transfer Instrument.

⁽¹⁾ 2004 c. 35.

⁽²⁾ As amended by the Pensions Act 2008 (c. 30), section 126; section 148; Schedule 9, paragraphs 1, 2(1), 6, 7(1), 7(2), 7(3)(a), 7(3)(b), 7(4), 8(1) and 15(1); and Schedule 11, Part 6.