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STATUTORY INSTRUMENTS

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**2010 No. 725**

**The Occupational Pension Schemes (Employer Debt and Miscellaneous Amendments) Regulations 2010**

**Amendment of the Pension Protection Fund (Entry Rules) Regulations 2005**

- 3.—**(1) The Pension Protection Fund (Entry Rules) Regulations 2005<sup>(1)</sup> are amended as follows.
- (2) In regulation 1(5) (interpretation)<sup>(2)</sup>—
- (a) in sub-paragraphs (a) and (b), for “C or D” substitute “C, D or E”,
  - (b) after sub-paragraph (a)(iv), insert—
    - “(v) condition E is that—
    - (aa) there is a restructuring within regulation 6ZB or 6ZC of the Occupational Pension Schemes (Employer Debt) Regulations 2005 (employment-cessation events: exemptions);
    - (bb) in that restructuring, the employer was the exiting employer for the purposes of those Regulations (see the definition of “exiting employer” in regulation 2(3A) of those Regulations (interpretation)); and
    - (cc) regulation 6ZA(3) or (4) of those Regulations (employment-cessation events: general) does not apply in relation to that restructuring.”
  - (c) after sub-paragraph (b)(iv), insert—
    - “(v) condition E is that—
    - (aa) there is a restructuring within regulation 6ZB or 6ZC of the Occupational Pension Schemes (Employer Debt) Regulations 2005 (employment-cessation events: exemptions);
    - (bb) in that restructuring, the employer was the exiting employer for the purposes of those Regulations (see the definition of “exiting employer” in regulation 2(3A) of those Regulations (interpretation)); and
    - (cc) regulation 6ZA(3) or (4) of those Regulations (employment-cessation events: general) does not apply in relation to that restructuring.”
- (3) In regulation 2(4) (schemes which are not eligible schemes)<sup>(3)</sup>, after sub-paragraph (d) insert—
- “(e) a restructuring within regulation 6ZB or 6ZC of those Regulations.”

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<sup>(1)</sup> S.I. 2005/590.

<sup>(2)</sup> Regulation 1(5) was substituted by S.I. 2005/2113.

<sup>(3)</sup> Regulation 2(4) was substituted by S.I. 2008/731.