

## SCHEDULES

### SCHEDULE 8

Regulations 23(3), 24(2) and 25(2)

Information to be given by schemes about winding up

#### PART 1

Information to be given by occupational pension schemes during winding up

1. A statement that the scheme is being wound up.
2. The reasons why the scheme is being wound up.
3. Where section 22 of the 1995 Act<sup>(1)</sup> (circumstances in which following provisions apply) applies, a statement that at least one of the trustees of the scheme are required to be an independent person by section 23 of that Act<sup>(2)</sup>.
4. In the case of active members, whether death in service benefits will continue to be payable.
5. A summary of the action that is being taken, and that has been taken, to—
  - (a) establish the scheme's liabilities, and
  - (b) recover any assets.
6. An estimate of when—
  - (a) the scheme's liabilities are likely to be established, and
  - (b) any assets are likely to be recovered.
7. Either—
  - (a) an indication of the extent to which (if at all) the actuarial value of accrued rights or benefits are likely to be reduced, or
  - (b) a statement that there is insufficient information to provide such an indication.

#### PART 2

Information to be given by occupational pension schemes after winding up

8. Whether the member or beneficiary's benefits are reduced because the scheme's resources are not sufficient to meet its liabilities.
9. The amount of any reduction of the member's, or beneficiary's, benefits.
10. Who has or will become liable for the payment of the member's, or beneficiary's, benefits.

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(1) Section 22 was amended by the 2004 Act, sections 36(1) and (2), 319(1) and 320, Schedule 12, paragraphs 34 and 40 and Schedule 13, Part 1 and S.I. 2009/1941.

(2) Section 23 was substituted by the 2004 Act, section 36(4).

## PART 3

### Information to be given by personal pension schemes after winding up

**11.**—(1) The amount of—

- (a) contributions (before the making of any deductions), including a nil amount, credited to the member under the scheme during the period of 12 months preceding a date specified by the managers of the scheme, and
- (b) where the scheme was, at any time before the abolition date, an appropriate scheme the minimum contributions paid by the Secretary of State in respect of the member in that 12 month period that is attributable to section 45(1) of the 1993 Act identifying separately that part of the contributions that is attributable to tax relief on the employee's share of minimum contributions, being the difference between that share and the grossed-up equivalent of that share.

(2) In sub-paragraph (1)(b) the expressions “employee's share” and “grossed-up equivalent” have the meanings given to them by section 202(3) and (4) of the Finance Act 2004 (minimum contributions under pensions legislation).

**12.** At a date specified by the managers of the scheme —

- (a) the value of the member's accrued rights under the scheme, and
- (b) if different, the value of the cash equivalent calculated in accordance with regulations 3 and 4 of the Personal Pension Schemes (Transfer Values) Regulations 1987.

**13.** The options available to a member for preserving, transferring or otherwise disposing of the member's accrued rights under the scheme.

**14.** An account of the amount by which the member's accrued rights have been reduced and of the action taken by the managers of the scheme, or which is open to the member to take, in order, so far as may be possible, to restore the value of the member's accrued rights under the scheme.

## PART 4

### Report under section 72A of the 1995 Act

**15.** Where a report has been made to the Regulator under section 72A of the 1995 Act<sup>(3)</sup> (reports about winding up), a copy of that report.

## PART 5

### Information on expected benefits

**16.** An estimate of the amount of the member's and beneficiary's benefits that are expected to be payable from normal pension age or death.

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(3) Section 72A was inserted by the Child Support, Pensions and Social Security Act 2000, section 49(1).