
STATUTORY INSTRUMENTS

2017 No. 774

The Occupational Pension Schemes (Charges and Governance) (Amendment) Regulations 2017

Amendment of regulation 11A

8.—(1) Regulation 11A (payments to advisers)(**1**) is amended as follows.

(2) In paragraph (1), omit “on or after 6th April 2016”.

(3) In paragraph (2), after “11B(2)” insert “, 11B(2B)”.

(4) In paragraph (4), for “This regulation” substitute “The prohibition in paragraph (2)”.

(5) For paragraph (6) substitute—

“(6) The prohibition in paragraph (2) does not apply to a charge imposed to reimburse a service provider for any payment made to an adviser for advice or a service referred to in paragraph (3)(a) or (b) where—

(a) the charge is imposed under a relevant contract(**2**) which—

(i) was entered into before 6th April 2016; and

(ii) has not been varied or renewed on or after that date; and

(b) the payment was made before 1st October 2017.”.

(6) After paragraph (6) insert—

“(7) Where the prohibition in paragraph (2) applies it overrides any term of a relevant contract to the extent that the term conflicts with it.”.

(1) Regulation 11A was inserted by [S.I. 2016/304](#).

(2) Paragraph 6(3) of Schedule 18 to the Pensions Act 2014, inserted by section 41 of the Pension Schemes Act 2017, defines “relevant contract”.