

STATUTORY INSTRUMENTS

**2018 No. 1030**

**The Occupational Pension Schemes  
(Master Trusts) Regulations 2018**

**Fraud compensation**

**23.**—(1) This paragraph applies to a scheme when all the following conditions are met—

- (a) the scheme has been authorised by the Regulator under section 5 of the Act;
- (b) there are one or more scheme funders and a triggering event within item 4 or 5 of the table in section 21(6) of the Act has occurred in relation to every scheme funder;
- (c) the scheme is pursuing continuity option 1; and
- (d) the trustees have submitted the implementation strategy to the Regulator.

(2) Where paragraph (1) applies, the following enactments have effect in relation to the scheme with the following modifications—

- (a) in the 2004 Act, omit—
  - (i) section 182(1)(c), (2) to (4), 6(a), (8) and (9) (insolvency of employers);
  - (ii) the words “the later of” in section 182(6);
  - (iii) the definition of “relevant event” in section 182(10);
  - (iv) section 183 (board’s duties where employer unlikely to continue as a going concern);
  - (v) section 185(5)(d) (board’s duty to give notice to the insolvency practitioner or the employer) and the “and” before it;
  - (vi) paragraph 21 of Schedule 9 (issue of a notice under section 183);
- (b) in the Occupational Pension Schemes (Fraud Compensation Payments and Miscellaneous Amendments) Regulations 2005(1)—
  - (i) omit regulation 2(1)(ka)(2);
  - (ii) in regulation 2(2), for “(ka)” substitute “(k)”;
  - (iii) in regulation 5(3)—
    - (aa) in sub-paragraph (c), for “employer” substitute “each scheme funder (as defined in section 39(1) of the Pension Schemes Act 2017)”;
    - (bb) for sub-paragraph (e), substitute—
      - “(e) the date the triggering event (as defined in section 39(1) of the Pension Schemes Act 2017) occurred;”;

<sup>F1</sup>(c) .....

**F1** [Reg. 23\(2\)\(c\)](#) omitted (1.4.2022) by virtue of [The Occupational Pension Schemes \(Fraud Compensation Levy\) \(Amendment\) Regulations 2022 \(S.I. 2022/259\)](#), regs. 1, 4

(1) [S.I. 2005/2184](#).  
(2) Regulation 2(1)(ka) was inserted, and regulation 2(2) amended, by article 2 of the National Employment Savings Trust (Consequential Provisions) Order 2010 ([S.I. 2010/9](#)).

---

**Changes to legislation:** There are currently no known outstanding effects for the The Occupational Pension Schemes (Master Trusts) Regulations 2018, Section 23. (See end of Document for details)

---

**Commencement Information**

- I1** Reg. 23(1)(2)(a)(b)(iii)(c) in force at 1.10.2018, see [reg. 1\(2\)](#)
- I2** [Reg. 23\(2\)\(b\)\(i\)\(ii\)](#) in force at 1.4.2019, see [reg. 1\(3\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Occupational Pension Schemes (Master Trusts) Regulations 2018, Section 23.