
STATUTORY INSTRUMENTS

2019 No. 982

The Occupational Pension Schemes (Investment and Disclosure) (Amendment) Regulations 2019

Amendment of the Pension Protection Fund (Pensionable Service) and Occupational Pension Schemes (Investment and Disclosure) (Amendment and Modification) Regulations 2018

4.—(1) The Pension Protection Fund (Pensionable Service) and Occupational Pension Schemes (Investment and Disclosure) (Amendment and Modification) Regulations 2018⁽¹⁾ are amended as follows.

(2) In regulation 4 (amendments to the Occupational Pension Schemes (Investment) Regulations 2005—

(a) in paragraph (2)—

(i) in sub-paragraph (a)—

(aa) in paragraph (iii), at the end of the inserted sub-paragraph (b)(vii), omit “and”; and

(bb) in paragraph (iv), at the end of the inserted sub-paragraph (c)(ii), insert “and”; and

(ii) in sub-paragraph (b) in the inserted paragraph (4)—

(aa) in the definition of “relevant matters”, after “strategy,”, insert “capital structure, management of actual or potential conflicts of interest,”; and

(bb) in the definition of “relevant persons”, before “or another”, insert “, another stakeholder”; and

(b) for paragraph (3) substitute—

“(3) In regulation 2A(1)(b) (additional requirements in relation to default arrangement)⁽²⁾, after “regulation 2(3)(b)” insert “and, if that scheme has 100 or more members, regulation 2(3)(c) and (d)⁽³⁾”.”.

(3) In regulation 5 (amendments to the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013—

(a) in paragraph (2)(b), for the inserted paragraph (5), substitute—

“(5) Where section 35 of the 1995 Act applies to a scheme the following information must be made publicly available free of charge in accordance with regulation 29A—

(a) the information listed in paragraph 30(ca) of Schedule 3 but only if the scheme is not a relevant scheme within the meaning of regulation 1(2) (interpretation) of the Occupational Pension Schemes (Scheme Administration) Regulations 1996⁽⁴⁾; or

(1) [S.I. 2018/988](#).

(2) Regulation 29A was inserted by [S.I. 2015/879](#).

(3) Sub-paragraph (d) is inserted by regulation 2(2)(a) of these Regulations.

(4) [S.I. 1996/1715](#). The definition of “relevant scheme” was inserted by [S.I. 2015/879](#). There are other amendments to regulation 1(2) but none are relevant.

- (b) the information listed in paragraph 30(f) of that Schedule but only if the scheme is a relevant scheme within the meaning of that regulation.”;
- (b) for paragraph (4)(c) substitute—
 - “(c) in paragraph (4), after “paragraph (2)”, insert “, (2A) or (2B)”.”; and
- (c) in paragraph (5)—
 - (i) in sub-paragraph (a), in the substituted sub-paragraph (d)—
 - (aa) at the end of paragraph (ii) omit “and”;
 - (bb) at the end of paragraph (iii) omit “and”; and
 - (cc) after paragraph (iii) insert—
 - “(iv) paragraph (3)(d)(5), and”; and
 - (ii) in sub-paragraph (c), in the inserted sub-paragraph (f), after paragraph (iv) insert—
 - “(v) describe the voting behaviour by, or on behalf of, trustees (including the most significant votes cast by trustees or on their behalf) during the year and state any use of the services of a proxy voter during that year.”.