

SCHEDULES

SCHEDULE 8

Article 188.

REVIEWABLE MATTERS

1. The issue of a determination notice under Article 107 approving a notice issued under Article 106.
2. The failure to issue a determination notice under Article 107.
3. The issue of, or failure to issue, a notice under Article 106 by the Board by virtue of Article 108 (Board's duty where failure to comply with Article 106).
4. The issue of, or failure to issue—
 - (a) a scheme failure notice under paragraph (2) of Article 114 (scheme rescue not possible), or
 - (b) a withdrawal notice under paragraph (3) of that Article (scheme rescue has occurred).
5. Any direction given under paragraph (2) of Article 118 (directions during an assessment period) or any variation or revocation of such a direction under paragraph (4) of that Article.
6. The issue of a notice under Article 120(2) (power to validate contraventions of Article 119).
7. The making of a loan under Article 123(2) (loans to pay scheme benefits), the amount of any such loan or the failure to make such a loan.
8. The failure by the Board to obtain an actuarial valuation of a scheme under Article 127(2).
9. The approval of, or failure to approve, a valuation in respect of an eligible scheme under Article 128(2).
10. The issue of, or failure to issue, a withdrawal notice under or by virtue of—
 - (a) Article 130 (schemes which become eligible schemes), or
 - (b) Article 131 (new schemes created to replace existing schemes).
11. The issue of, or failure to issue, a withdrawal notice under Article 132 (no insolvency event has occurred or is likely to occur).
12. The issue of, or failure to issue, a determination notice under Article 136(3) (whether value of scheme assets less than aggregate of liabilities etc.).
13. The issue of, or failure to issue, a determination notice under Article 137(6) (authorisation to continue as closed scheme).
14. Any direction given under Article 138(7) (directions about winding up of scheme with sufficient assets to meet protected liabilities) and any variation or revocation of such a direction.
15. The failure by the Board to give a transfer notice under Article 144.
16. Any determination by the Board of a person's entitlement to compensation under the pension compensation provisions or the failure in any case to make such a determination.
17. Any failure by the Board to make a payment required by Article 147(4)(b) (adjustments to be made where Board assumes responsibility for a scheme).

Status: This is the original version (as it was originally made).

18. Any determination by the Board under Article 164(3)(a) (the eligible schemes in respect of which the initial levy or the pension protection levy is imposed) or the failure to make such a determination.

19. The amount of the initial levy or any pension protection levy payable in respect of an eligible scheme determined by the Board under Article 164(3)(b).

20. The making of a fraud compensation payment under Article 165(1), the amount of any such payment or the failure to make such a payment.

21. The issue of, or failure to issue, a notice under Article 166(2) (scheme rescue not possible or having occurred in case of scheme which is not eligible etc.).

22. Any settlement date determined by the Board under Article 167(2) (recovery of value) or the failure to determine a settlement date under that provision.

23. Any determination by the Board under Article 167(4) (recovery of value: whether amount received in respect of particular act or omission) or the failure to make such a determination.

24. The making of a payment under Article 169(1) (interim payments), the amount of any such payment or the failure to make such a payment.

25. Any term or condition imposed by the Board—

(a) under Article 168(2) on the making of a fraud compensation payment; or

(b) under paragraph (4) of Article 169 (interim payments) on the making of a payment under paragraph (1) of that Article.

26. Any determination by the Board under Article 169(3)(b) (interim payments) that the amount of a payment was excessive.

27. Any date determined by the Board under Article 170(4) (earliest date for making a fraud compensation transfer payment).

28. Any determination by the Board under Article 170(6) (fraud compensation transfer payments: whether payment is received in respect of particular act or omission).

29. Any determination by the Board under Article 171(7)(a) (occupational pension schemes in respect of which any fraud compensation levy is imposed) or the failure to make such a determination.

30. The amount of any fraud compensation levy payable in respect of an occupational pension scheme determined by the Board under Article 171(7)(b).