

## SCHEDULES

### SCHEDULE 4

#### OCCUPATIONAL AND PERSONAL PENSION SCHEMES

##### PART I

##### PROTECTING PENSIONS

##### *Investment of scheme's resources*

3 After section 57 of the Pensions Act there shall be inserted the following section—

**“57A Restrictions on investment of scheme’s resources in employer-related assets**

- (1) An occupational pension scheme shall comply with such restrictions as may be prescribed with respect to the proportion of its resources that may at any time be invested in, or in any description of, employer-related investments.
- (2) In this section—
  - “employer-related investments” means—
    - (a) shares or other securities issued by the employer or by any person who is connected with, or an associate of, the employer;
    - (b) land which is occupied or used by, or subject to a lease in favour of, the employer or any such person;
    - (c) property (other than land) which is used for the purposes of any business carried on by the employer or any such person;
    - (d) loans to the employer or any such person;
  - “the employer” means the employer of persons in the description or category of employment to which the scheme in question relates;
  - “securities” means any asset, right or interest falling within paragraph 1, 2, 4 or 5 of Schedule 1 to the Financial Services Act 1986.
- (3) If and to the extent that any sums due and payable by a person to the trustees or managers of a scheme remain unpaid, those sums shall be regarded for the purposes of this section as loans made to that person by the trustees or managers, and resources of the scheme shall be regarded as invested accordingly.
- (4) Sections 249 and 435 of the Insolvency Act 1986 (connected and associated persons) shall apply for the purposes of this section as they apply for the purposes of that Act; and section 74 of the Bankruptcy (Scotland) Act 1985 shall apply for the purposes of this section as that section applies for the purposes of the said Act of 1985.”