

SCHEDULES

SCHEDULE 11

PENSIONS

Amendment of existing schemes

- 3 (1) The Secretary of State may by order amend—
- (a) the trust deed of any existing scheme;
 - (b) the rules of any such scheme; or
 - (c) any other instrument relating to the constitution, management or operation of any such scheme;
- and any reference in this Schedule to amending an existing scheme accordingly includes a reference to amending any such trust deed, rules or other instrument.
- (2) Without prejudice to the generality of sub-paragraph (1) above, an order under this paragraph may, in particular, amend an existing scheme so as to alter any provision, or so as to make provision, with respect to any of the matters specified in paragraphs (a) to (f) of paragraph 2(2) above.
- (3) An order under this paragraph shall not make any amendment to a scheme—
- (a) which would prejudice any approval of that scheme for the purposes of Chapter I of Part XIV of the Income and Corporation Taxes Act 1988 (retirement benefit schemes);
 - (b) which would prevent the scheme from being a contracted-out scheme for the purposes of Part III of the Pension Schemes Act 1993 or Part III of the Pension Schemes (Northern Ireland) Act 1993;
 - (c) which would to any extent deprive a member of the scheme of pension rights which accrued to him under the scheme before the coming into force of the amendment; or
 - (d) which would provide for persons who are not eligible persons to become members of the scheme.
- (4) The Secretary of State shall not make an order under this paragraph except after consultation with the trustees of the occupational pension scheme to which the order relates.