

SCHEDULES

SCHEDULE 6

GENERAL MINOR AND CONSEQUENTIAL AMENDMENTS

The Pension Schemes Act 1993 (c. 48)

- 6 In section 99 (trustee’s duties after exercise of an option under section 95)—
- (a) in subsection (2), for paragraphs (a) and (b) there is substituted—
 - “(a) in the case of a member of a salary related occupational pension scheme, within 6 months of the guarantee date, or (if earlier) by the date on which the member attains normal pension age,
 - (b) in the case of a member of any other occupational pension scheme, within 6 months of the date on which they receive the application, or (if earlier) by the date on which the member attains normal pension age, or
 - (c) in the case of a member of a personal pension scheme, within 6 months of the date on which they receive the application.”,
 - (b) after subsection (3) there is inserted—
 - “(3A) In this section, “guarantee date” has the same meaning as in section 93A.”,
 - (c) for subsections (4) and (5) there is substituted—
 - “(4) The Regulatory Authority may, in prescribed circumstances, grant an extension of the period within which the trustees or managers of the scheme are obliged to do what is needed to carry out what a member of the scheme requires.
 - (4A) Regulations may make provision in relation to applications for extensions under subsection (4).”,
 - (d) in subsection (6), for “Board” there is substituted “Regulatory Authority”, and
 - (e) after that subsection there is added—
 - “(7) Where the trustees or managers of an occupational pension scheme have not done what is needed to carry out what a member of the scheme requires within six months of the date mentioned in paragraph (a) or (b) of subsection (2)—
 - (a) they must, except in prescribed cases, notify the Regulatory Authority of that fact within the prescribed period, and
 - (b) section 10 of the Pensions Act 1995 (power of the Regulatory Authority to impose civil penalties) shall apply

Status: This is the original version (as it was originally enacted).

to any trustee or manager who has failed to take all such steps as are reasonable to ensure that it was so done.

- (8) Regulations may provide that in prescribed circumstances subsection (7) shall not apply in relation to an occupational pension scheme.”