



Pensions Act 1995

1995 CHAPTER 26

PART I

OCCUPATIONAL PENSIONS

Receipts, payments and records

[^{F1}49A Record of winding-up decisions.

- (1) Except so far as regulations otherwise provide, the trustees or managers of an occupational pension scheme shall keep written records of—
 - (a) any determination for the winding-up of the scheme in accordance with its rules;
 - (b) decisions as to the time from which steps for the purposes of the winding-up of the scheme are to be taken;
 - (c) determinations under section 38;
 - (d) determinations in accordance with the rules of the scheme to postpone the commencement of a winding-up of the scheme.
- (2) For the purpose of this section—
 - (a) the determinations and decisions of which written records must be kept under this section include determinations and decisions by persons who—
 - (i) are not trustees or managers of a scheme, but
 - (ii) are entitled, in accordance with the rules of a scheme, to make a determination for its winding-up;and
 - (b) regulations may, in relation to such determinations or decisions as are mentioned in paragraph (a), impose obligations to keep written records on the persons making the determinations or decisions (as well as, or instead of, on the trustees or managers).
- (3) Regulations may provide for the form and content of any records that are required to be kept under this section.

Status: Point in time view as at 01/01/2014.

Changes to legislation: Pensions Act 1995, Section 49A is up to date with all changes known to be in force on or before 20 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

^{F2}(4)

- (5) Section 10 applies to any trustee or manager of a scheme who fails to take all such steps as are reasonable to secure compliance by the trustees or managers of that scheme with those obligations.]

Textual Amendments

- F1** S. 49A inserted (1.3.2002 for specified purposes, 1.4.2002 in so far as not already in force) by Child Support, Pensions and Social Security Act 2000 (c. 19), ss. 49(3), 86(1)(b)(2) (with s. 83(6)); S.I. 2002/437, art. 3(1)(e)(2)
- F2** S. 49A(4) repealed (9.12.2005) by Pensions Act 2004 (c. 35), s. 322(1), Sch. 12 para. 55, Sch. 13; S.I. 2005/3331, art. 2(2), Sch. Pt. 2
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Modifications etc. (not altering text)

- C1** S. 49A restricted (1.4.2002) by The Occupational Pension Schemes (Winding Up Notices and Reports etc.) Regulations 2002 (S.I. 2002/459), regs. 1(1), 13(1)

Status:

Point in time view as at 01/01/2014.

Changes to legislation:

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