



# Pension Schemes Act 2017

## 2017 CHAPTER 17

### PART 1

#### MASTER TRUSTS

##### *Definition of a Master Trust scheme*

#### **1 Master Trust schemes: definition**

- (1) In this Act, “Master Trust scheme” means an occupational pension scheme which—
  - (a) provides money purchase benefits (whether alone or in conjunction with other benefits),
  - (b) is used, or intended to be used, by two or more employers,
  - (c) is not used, or intended to be used, only by employers which are connected with each other, and
  - (d) is not a relevant public service pension scheme.
- (2) Where a Master Trust scheme provides money purchase benefits in conjunction with other benefits, references in the following provisions of this Act to a Master Trust scheme are to a Master Trust scheme only to the extent that it provides money purchase benefits, except as provided in section 39(2) to (4).
- (3) For the purposes of this section, an employer (“A”) is connected with another employer (“B”)—
  - (a) where A is, or has been, a group undertaking in relation to B within the meaning of section 1161(5) of the Companies Act 2006, or
  - (b) in circumstances specified in regulations made by the Secretary of State.
- (4) In this section—

“employer”, in relation to an occupational pension scheme, means a person who employs or engages persons who are, or are entitled to become, members of the scheme;

“money purchase benefits” has the same meaning as in the Pension Schemes Act 1993 (see section 181 of that Act);

“occupational pension scheme” has the same meaning as in the Pension Schemes Act 1993 (see section 1(1) of that Act);

“relevant public service pension scheme” has the meaning given in section 2.

(5) Regulations under this section are subject to affirmative resolution procedure.

## **2 Relevant public service pension schemes**

(1) For the purposes of section 1, a pension scheme is a relevant public service pension scheme if it falls within subsection (2) or (3).

(2) A scheme falls within this subsection if it is a public service pension scheme within the meaning of the Pension Schemes Act 1993 (see section 1(1) of that Act).

(3) A scheme falls within this subsection if it is—

- (a) a scheme under section 1 of the Public Service Pensions Act 2013 (new public service schemes),
- (b) a new public body pension scheme (as defined in section 30 of that Act), or
- (c) a statutory pension scheme which is connected with a scheme referred to in paragraph (a) or (b) (and for this purpose “statutory pension scheme” and “connected” have the meanings given in that Act; see sections 37 and 4(6) of that Act).

(4) But a scheme does not fall within subsection (3) if it is a scheme specified in an order made under section 318(6)(b) of the Pensions Act 2004 (schemes excluded from definition of “public service pension scheme”).