
STATUTORY INSTRUMENTS

1995 No. 3103

**The Retirement Benefits Schemes
(Information Powers) Regulations 1995**

PART III

NOTICES REQUIRING PARTICULARS AND DOCUMENTS

Approved schemes and relevant statutory schemes

12.—(1) The Board may by notice require any of the persons prescribed by paragraph (2) below, within the time prescribed by paragraph (3) below, to furnish to the Board such particulars, and to produce to the Board such documents, as they may reasonably require relating to—

- (a) any monies received or receivable by an approved scheme or a relevant statutory scheme, or
- (b) any investments or other assets held by that scheme, or
- (c) any monies paid or payable out of funds held under that scheme.

(2) The persons prescribed are—

- (a) the person who is, or the persons who are, for the time being by virtue of section 611AA of the Taxes Act the administrator of the scheme which is the subject of the notice;
- (b) any person who was, or any persons who were, at any time prior to the relevant date by virtue of section 611AA of the Taxes Act the administrator of that scheme, other than an excluded person;
- (c) the trustee or trustees of that scheme, or any person who was, or any persons who were, at any time prior to the relevant date the trustee or trustees of that scheme, other than an excluded person;
- (d) any person who is, or has been at any time prior to the relevant date, an employer in relation to that scheme, other than an excluded person;
- (e) any person who is, or has been at any time prior to the relevant date, a scheme sponsor in relation to that scheme, other than an excluded person;
- (f) any person who provides, or has at any time prior to the relevant date provided, administrative services to that scheme, other than an excluded person.

(3) The time prescribed is such time (not being less than 28 days) as may be provided by the notice.

(4) A notice under paragraph (1) above may require particulars to be furnished, and documents to be produced, relating to more than one scheme.

(5) In paragraph (2) above—

- (a) “excluded person” means a person who, on ceasing to act in relation to the scheme or, as the case may be, provide administrative services to the scheme, transferred all documents in

his possession or under his control relating to the scheme to another person who succeeded him in acting in relation to the scheme or providing administrative services to the scheme;

- (b) “the relevant date” means the date on which the time prescribed by regulation 15(3)(f) ends.

Annuity contracts

13.—(1) The Board may by notice require any of the persons prescribed by paragraph (2) below, within the time prescribed by paragraph (3) below, to furnish to the Board such particulars, and to produce to the Board such documents, as they may reasonably require relating to any annuity contract issued by that person by means of which benefits provided under an approved scheme or a relevant statutory scheme have been secured.

(2) The persons prescribed are—

- (a) the insurance company which issued the annuity contract, where that company is a body corporate;
- (b) the chief executive and the manager, within the meaning of section 96D of the Insurance Companies Act 1982⁽¹⁾, of the insurance company which issued the annuity contract;
- (c) the friendly society which issued the annuity contract, where that friendly society is a society incorporated under the Friendly Societies Act 1992;
- (d) the chief executive and the secretary, or any assistant or deputy chief executive, or assistant or deputy secretary, of the friendly society which issued the annuity contract.

(3) The time prescribed is such time (not being less than 28 days) as may be provided by the notice.

(4) A notice under paragraph (1) above may require particulars and documents relating to more than one annuity contract.

(1) 1982 c. 50; section 96D was inserted by S.I.1994/1696, regulation 53.