
STATUTORY INSTRUMENTS

1996 No. 1216

PENSIONS

The Occupational Pension Schemes (Member-nominated Trustees and Directors) Regulations 1996

<i>Made</i>	- - - -	<i>2nd May 1996</i>
<i>Laid before Parliament</i>		<i>10th May 1996</i>
<i>Coming into force in accordance with regulation 1(2)</i>	- -	<i>1996</i>

THE OCCUPATIONAL PENSION SCHEMES (MEMBER-NOMINATED TRUSTEES AND DIRECTORS) REGULATIONS 1996

PART I

GENERAL PROVISIONS

Preliminary

1. Citation and commencement
2. General interpretation
3. Scheme membership

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4. Exceptions from member-nominated trustee requirements
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6. Exceptions from member-nominated director requirements

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MEMBER-NOMINATED TRUSTEES

Section 16 arrangements and rules

7. Implementation of requirements as to member-nominated trustees: general
8. Appropriate rules as to the selection and eligibility of member-nominated trustees

Status: This is the original version (as it was originally made).

Proposals by employers for alternative arrangements

9. Proposals by the employer for alternative arrangements under section 17
10. Time limits for making alternative arrangements under section 17

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12. Cessation of application of requirements

PART III

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Section 18 arrangements and rules

13. Implementation of requirements as to member-nominated directors: general
14. Appropriate rules as to the selection and eligibility of member-nominated directors

Proposals by employers for alternative arrangements

15. Proposals by the employer for alternative arrangements under section 19
16. Time limits for making alternative arrangements under section 19

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17. Cessation of application of requirements

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PART IV

GENERAL AND SUPPLEMENTARY PROVISIONS

Modifications for special cases

19. Modifications

General provisions about rules and arrangements

20. Cessation of approval of appropriate rules and alternative arrangements
21. Appropriate rules in cases where insufficient nominations are received

Miscellaneous and supplementary

22. Records
23. Notices
24. Transitional provisions
Signature

“The proposer”

1. In this Schedule— “the proposer” has the meaning given in...

Notice to be given by the proposer

2. The proposer must give each of the eligible members notice...

The appropriate general statement

3. (1) The notice must contain the appropriate general statement.

Notices concerning appropriate rules: requirement for general information about arrangements

4. (1) A notice in respect of proposals for appropriate rules...

Particulars of rules or arrangements proposed

5. (1) The notice must specify the appropriate rules or, as...

Statement as to approval procedure

6. (1) The notice must state that the proposed appropriate rules...
7. In a case where the trustees have made a determination...

Approval in absence of objections

8. (1) If the notice contains the statement mentioned in paragraph...

Approval by ballot

9. (1) This paragraph applies if— (a) the notice specifies that...

Immaterial omissions etc.

10. (1) This paragraph applies where— (a) the proposer of appropriate...

SCHEDULE 2 — THE PRESCRIBED APPROPRIATE RULES
PART I — MEMBER-NOMINATED TRUSTEES

Eligibility and procedure for nomination

1. (1) The trustees of the scheme shall invite nominations to...

Selection of nominees

2. (1) If the number of persons duly nominated to fill...

PART II — MEMBER-NOMINATED DIRECTORS

3. The prescribed rules for the purposes of section 20(1)(b) in...

SCHEDULE 3 — MODIFICATIONS OF PENSIONS ACT 1995 AND THESE
REGULATIONS

Multi-employer schemes

1. (1) In their application to any scheme which applies to...

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

Cases where the employer is sole trustee

2. (1) Where a person who is not a company to...

Cases where a section 18 company is the employer

3. (1) Where a company to which section 18 applies is...

Schemes with few or no active members

4. (1) Subject to sub-paragraph (2), in the application of sections...

Shorter periods of office: casual vacancies etc.

5. (1) Section 16 has effect with the substitution for subsection...

Schemes requiring amendment: disapplication of s.591B of the Taxes Act

6. In its application to a scheme which requires to be...

Removal of member-nominated directors

7. In its application to a company which is not a...

Companies which are trustees of relevant and other schemes

8. In its application to a company which is the trustee...

SCHEDULE 4 —
TRANSITIONAL
PROVISIONS

Preliminary

1. In this Schedule— “the pre-commencement period” means the period beginning...

General disregard of action taken before commencement date

2. Except as provided in this Schedule, anything done before the...

Waiver of employer’s rights under sections 17 and 19

3. (1) If at any time during the pre-commencement period the...
4. (1) If at any time during the pre-commencement period the...

Pre-commencement period proposals by the employer

5. If during the pre-commencement period the employer gave notice in...
6. If during the pre-commencement period the employer gave notice in...

Pre-commencement period action

7. (1) Where such a notice as is mentioned in paragraph...

Scheme alterations, overriding provisions and records

8. (1) Where such a notice as is mentioned in paragraph...

Explanatory Note