
STATUTORY INSTRUMENTS

2005 No. 2224

PENSIONS

The Occupational Pension Schemes (Employer Debt etc.) (Amendment) Regulations 2005

Made - - - - *9th August 2005*
Laid before Parliament *12th August 2005*
Coming into force - - *2nd September 2005*

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by sections 10(3), 56(3), 75(1)(b), (5) and (10), 75A(1) to (7), 89(2), 118(1)(a) and (b), 119, 124(1), 125(3) and 174(2) and (3) of the Pensions Act 1995(1) and sections 93(2)(q), 135(4), 315(2) and 318(1) and (4)(a) of, and paragraph 21(e) of Schedule 1 to, the Pensions Act 2004(2) and of all other powers enabling him in that behalf, by this instrument, which is consequential on sections 271 and 272 of the Pensions Act 2004(3), and is made before the end of the period of six months beginning with the coming into force of those sections, hereby makes the following Regulations:

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- (1) 1995 c. 26. Section 75 was amended by section 271 of the Pensions Act 2004 (c. 35) and modified by regulations 6, 8 to 10 and 13 to 15 of S.I. 2005/678. Section 89(2) was amended by paragraph 66 of Schedule 12 to the Pensions Act 2004. Section 75A was inserted by section 272 of the Pensions Act 2004. Section 124(1) is cited for the meaning it gives to “prescribed” and “regulations”.
 - (2) 2004 c. 35. Section 93(2)(q) and paragraph 21(e) of Schedule 1 refer to functions of the Regulator, which by virtue of section 7(1)(b) and (2)(b) include functions expressed to be conferred on “the Authority” by or by virtue of the Pensions Act 1995. Section 318(1) is cited for the meaning it gives to “prescribed” and “regulations”.
 - (3) See section 120 of the Pensions Act 1995 and section 317 of the Pensions Act 2004 which provide that the Secretary of State must consult such persons as he may consider appropriate before making regulations for the purposes of the provisions for the purposes of which these Regulations are made. This duty does not apply where regulations are made before the end of the period of six months beginning with the coming into force of any enactment on which the regulations are consequential (in the case of section 120) or by virtue of which the regulations are made (in the case of section 317).