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STATUTORY INSTRUMENTS

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**2005 No. 597**

**The Register of Occupational and Personal Pension Schemes Regulations 2005**

**Registrable information**

3.—(1) The information prescribed for the purposes of section 60(2)(h) of the Act (registrable information – other prescribed information) is—

- (a) the category of the scheme by reference to—
  - (i) whether the scheme is an occupational or a personal pension scheme,  
F<sup>1</sup>(ii) . . . . .
  - F<sup>2</sup>(iii) . . . . .
  - (iv) where the scheme is or is to be registered as a stakeholder pension scheme under section 2 of the Welfare Reform and Pensions Act 1999 M<sup>1</sup> (registration of stakeholder pension schemes), whether the scheme is a trust scheme or is established in accordance with regulation 2 of the Stakeholder Pension Scheme Regulations 2000 M<sup>2</sup> (manner of establishment);
- (b) in the case of a personal pension scheme, the number of members of the scheme on the later of—
  - (i) the last day of the scheme year which ended most recently, and
  - (ii) the day on which the scheme became a registrable scheme;
- (c) in the case of an occupational pension scheme, the numbers of active members, deferred members and pensioner members of the scheme on the later of—
  - (i) the last day of the scheme year which ended most recently, and
  - (ii) the day on which the scheme became a registrable scheme;
- (d) in relation to the benefits provided under the scheme—
  - (i) whether any of those benefits are secured by a contract of insurance or annuity contract issued by an insurance company which provides administration services to the scheme, and
  - (ii) if so—
    - (aa) the name and address of the insurance company providing such a contract, and
    - (bb) the policy number of that contract or the insurance company reference number in relation to that contract;
- [F<sup>3</sup>(da) in the case of an occupational pension scheme which is a relevant scheme within the meaning of the Occupational Pension Schemes (Scheme Administration) Regulations 1996, the name of the person for the time being appointed as the chair, within the meaning of regulation 1(2) of those Regulations;]
- [F<sup>4</sup>(db) the value of the assets held by the scheme for the purpose of providing benefits to members, calculated on the last day of the scheme year which ended most recently;]

- <sup>F5</sup>(e) .....
- (f) in the case of a trust scheme which is in the process of being wound up, the date on which the winding up commenced.
- [<sup>F6</sup>(g) in the case where an occupational pension scheme in respect of which a recovery plan has been prepared under section 226 of the Act begins to wind up during the recovery period, the date on which the winding up commenced.]
- [<sup>F7</sup>(h) in the case of an occupational pension scheme which is a relevant scheme within the meaning of the Occupational Pension Schemes (Scheme Administration) Regulations 1996, whether the trustees or managers of that scheme have prepared the statement that they are required to prepare in accordance with regulation 23 of those Regulations; <sup>F8</sup> ...
- [ subject to paragraph (3A), in the case of a specified scheme—
- <sup>F9</sup>(ha) (i) whether, on the basis of the most recent assessment required by virtue of regulation 25(1A) of the Occupational Pension Schemes (Scheme Administration) Regulations 1996 (“value assessment”), the trustees or managers of the scheme consider that the scheme provides good value for members;
- (ii) where a value assessment was carried out for the previous scheme year, whether, on the basis of that value assessment, the trustees or managers of the scheme considered that the scheme provided good value for members;
- (hb) subject to paragraph (3A), in the case of a specified scheme where the trustees or managers of the scheme have stated under sub-paragraph (ha)(i) that they do not consider that the scheme provides good value for members—
- (i) whether the trustees or managers propose to transfer the money purchase benefits of its members into another scheme, and whether or not they also propose to wind up the scheme, and
- (ii) if the trustees or managers do not propose to wind up the scheme—
- (aa) their reasons for not doing so, and
- (bb) what improvements they propose to make to the scheme to ensure that it does provide good value for members,]
- (i) in the case of an occupational pension scheme in respect of which the requirements of Part 2 of the Occupational Pension Schemes (Charges and Governance) Regulations 2015 apply to one or more of its members, whether the trustees or managers of that scheme have complied with those requirements in respect of each member to whom they apply [<sup>F10</sup>; <sup>F11</sup> ...]
- <sup>F11</sup>(j) .....
- [<sup>F12</sup>(k) in the case of an occupational pension scheme in respect of which the trustees are required to publish a report in accordance with regulation 6(1)(b) of the Occupational Pension Schemes (Climate Change Governance and Reporting) Regulations 2021 (climate change reporting and publication requirements)—
- (i) the website address where the most recent report has been published; or
- (ii) where no report has been published, whether the period for publication specified in regulation 6(1) of those Regulations has ended;
- (l) in the case of an occupational pension scheme in respect of which the trustees are required to publish the information specified in regulation 29A(2), (2A) or (2B) of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (publishing charges and transaction costs and other relevant information), the website address where the information has been published.]

- [<sup>F13</sup>(m) in the case of an occupational pension scheme which is a relevant trust scheme—
- (i) the information mentioned in paragraph (3C) in respect of each in-scope FM provider for the time being appointed in relation to the scheme;
  - (ii) the information mentioned in paragraph (3D) in respect of each IC provider for the time being appointed in relation to the scheme.]

(2) The reference in paragraph (1)(f) above to the date on which the winding up of a trust scheme commenced is to be construed in accordance with Part 1 of the Pensions Act 1995<sup>M3</sup>.

(3) Where the scheme is a multi-employer scheme, for the purposes of sub-paragraph (1)(e), section 60(4) of the Act shall be modified so as to have effect as if for the words “the employer” in the definition of “relevant employer” there were substituted the words “an employer”.

[<sup>F14</sup>(3A) Paragraph (1)(ha) and (hb) does not apply if the Regulator has been notified under section 62(4) or (5) of the Pensions Act 2004 that the winding up of the scheme in question has commenced.]

[<sup>F15</sup>(3B) For the purposes of this regulation “in-scope FM provider”, “IC provider” and “relevant trust scheme” have the meanings given in Part 6 of the Occupational Pension Schemes (Scheme Administration) Regulations 1996 (“the 1996 Regulations”).]

[<sup>F15</sup>(3C) The information referred to in paragraph (1)(m)(i) is—

- (a) the name and address of the in-scope FM provider,
- (b) the date on which the in-scope FM provider was appointed or last appointed (as the case may be),
- (c) whether the trustees carried out a qualifying tender process under paragraph 7(1), 8(1) or 9(3) (as the case may be) of the Schedule to the 1996 Regulations in connection with the in-scope FM provider’s appointment or arrangements with the in-scope FM provider, and
- (d) if no such tender was carried out, why it was not carried out.]

[<sup>F15</sup>(3D) The information referred to in paragraph (1)(m)(ii) is—

- (a) the name and address of the IC provider,
- (b) the date on which the IC provider was appointed or last appointed (as the case may be),
- (c) whether the trustees have set objectives for the IC provider in accordance with regulation 35(1) of the 1996 Regulations and if no such objectives have been set, the reasons why they have not been set,
- (d) whether the trustees have reviewed the objectives set for the IC provider in accordance with regulation 35(3) of those Regulations, and if no such review has been carried out, why that is the case, and
- (e) whether the trustees have reviewed the performance of the IC provider in accordance with regulation 36 of those Regulations, and if no such review has been carried out, why that is the case.]

[<sup>F15</sup>(3E) For the purposes of paragraphs (3C) and (3D) “appoint”, in relation to an in-scope FM provider or an IC provider, includes—

- (a) the reappointment of the provider;
- (b) the extension of the provider’s term of appointment.]

[<sup>F16</sup>(4) In this regulation—

“multi-employer scheme” means a trust scheme in relation to which there is more than one employer;

“recovery period” means the period specified in the scheme’s recovery plan in accordance with section 226(2)(b) of the Act<sup>F17</sup>;

“specified scheme” has the meaning given in regulation 25 of the Occupational Pension Schemes (Scheme Administration) Regulations 1996.]

- (5) For the purposes of section 60(2)(g)(i) and of this regulation, “scheme year” means—
- (a) a year specified for the purposes of the scheme in any document comprising the scheme or, if no year is specified, a period of 12 months commencing on 1st April or on such other date as the trustees select; or
  - (b) such other period (if any) exceeding six months but not exceeding 18 months as is selected by the trustees—
    - (i) in connection with the commencement or termination of the scheme, or
    - (ii) in connection with a variation of the date on which the year or period referred to in sub-paragraph (a) is to commence.

<b>F1</b>	Reg. 3(1)(a)(ii) omitted (1.10.2022) by virtue of The Occupational Pension Schemes (Governance and Registration) (Amendment) Regulations 2022 (S.I. 2022/825), regs. 1(2), <b>3(2)(a)</b>
<b>F2</b>	Reg. 3(1)(a)(iii) omitted (1.10.2022) by virtue of The Occupational Pension Schemes (Governance and Registration) (Amendment) Regulations 2022 (S.I. 2022/825), regs. 1(2), <b>3(2)(a)</b>
<b>F3</b>	Reg. 3(1)(da) inserted (6.4.2015) by The Occupational Pension Schemes (Charges and Governance) Regulations 2015 (S.I. 2015/879), regs. 1(2), <b>16(2)</b>
<b>F4</b>	Reg. 3(1)(db) inserted (with application in accordance with reg. 1(3) of the amending S.I.) by The Occupational Pension Schemes (Administration, Investment, Charges and Governance) (Amendment) Regulations 2021 (S.I. 2021/1070), regs. 1(2), <b>3(2)(a)</b>
<b>F5</b>	Reg. 3(1)(e) omitted (1.10.2022) by virtue of The Occupational Pension Schemes (Governance and Registration) (Amendment) Regulations 2022 (S.I. 2022/825), regs. 1(2), <b>3(2)(a)</b>
<b>F6</b>	Reg. 3(1)(g) inserted (24.7.2006) by Occupational Pension Schemes (Winding up Procedure Requirement) Regulations 2006 (S.I. 2006/1733), regs. 1, <b>4(2)(a)</b>
<b>F7</b>	Reg. 3(1)(h)(i) inserted (6.4.2015) by The Occupational Pension Schemes (Charges and Governance) Regulations 2015 (S.I. 2015/879), regs. 1(2), <b>24(3)</b>
<b>F8</b>	Word in reg. 3(1)(h) omitted (13.1.2019) by virtue of The Occupational Pension Schemes (Cross-border Activities)(Amendment) Regulations 2018 (S.I. 2018/1102), regs. 1(2), <b>5(2)(a)</b>
<b>F9</b>	Reg. 3(1)(ha)(hb) inserted (with application in accordance with reg. 1(4) of the amending S.I.) by The Occupational Pension Schemes (Administration, Investment, Charges and Governance) (Amendment) Regulations 2021 (S.I. 2021/1070), regs. 1(2), <b>3(2)(b)</b>
<b>F10</b>	Word in reg. 3(1)(i) inserted (13.1.2019) by The Occupational Pension Schemes (Cross-border Activities)(Amendment) Regulations 2018 (S.I. 2018/1102), regs. 1(2), <b>5(2)(b)</b>
<b>F11</b>	Reg. 3(1)(j) and word omitted (31.12.2020) by virtue of The Occupational and Personal Pension Schemes (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/192), regs. 1, <b>16(4)</b> ; 2020 c. 1, Sch. 5 para. 1(1)
<b>F12</b>	Reg. 3(1)(k)(l) inserted (1.10.2021) by The Occupational Pension Schemes (Climate Change Governance and Reporting) (Miscellaneous Provisions and Amendments) Regulations 2021 (S.I. 2021/857), regs. 1(1), <b>3(2)</b>
<b>F13</b>	Reg. 3(1)(m) inserted (1.10.2022) by The Occupational Pension Schemes (Governance and Registration) (Amendment) Regulations 2022 (S.I. 2022/825), regs. 1(2), <b>3(2)(b)</b>
<b>F14</b>	Reg. 3(3A) inserted (with application in accordance with reg. 1(4) of the amending S.I.) by The Occupational Pension Schemes (Administration, Investment, Charges and Governance) (Amendment) Regulations 2021 (S.I. 2021/1070), regs. 1(2), <b>3(3)</b>
<b>F15</b>	Reg. 3(3B)-(3E) inserted (1.10.2022) by The Occupational Pension Schemes (Governance and Registration) (Amendment) Regulations 2022 (S.I. 2022/825), regs. 1(2), <b>3(3)</b>

- F16** Reg. 3(4) substituted (24.7.2006) by Occupational Pension Schemes (Winding up Procedure Requirement) Regulations 2006 (S.I. 2006/1733), regs. 1, **4(2)(b)**
- F17** Words in reg. 3(4) inserted (with application in accordance with reg. 1(3) of the amending S.I.) by The Occupational Pension Schemes (Administration, Investment, Charges and Governance) (Amendment) Regulations 2021 (S.I. 2021/1070), regs. 1(2), **3(4)**

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**Marginal Citations**

- M1** 1999 c. 30.
- M2** S.I. 2000/1403; the relevant amending instrument is S.I. 2001/104.
- M3** 1995 c. 26; see section 124(3A) to (3E).

**Changes to legislation:**

There are currently no known outstanding effects for the The Register of Occupational and Personal Pension Schemes Regulations 2005, Section 3.