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STATUTORY INSTRUMENTS

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**2005 No. 703**

**The Occupational Pension Schemes  
(Independent Trustee) Regulations 2005**

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Occupational Pension Schemes (Independent Trustee) Regulations 2005, and shall come into force on 11th April 2005.

(2) In these Regulations—

“the 1995 Act” means the Pensions Act 1995;

“the 2004 Act” means the Pensions Act 2004;

“applicant” means a person who applies to be registered in the trustee register;

“controller” means, where the applicant is a company, a person who holds 10 per cent. or more of the shares in the applicant, and exercises significant influence over the management of the applicant by virtue of that shareholding;

“key person” in relation to an applicant who is not an individual means a person who has overall management responsibility for the pension trustee work conducted by the applicant;

“officer” means—

(a) a relevant individual who has significant influence over the management of the pension trustee work; or

(b) any person whose signature may authorise, in part or in full, a transaction involving the assets of any scheme for which the applicant acts as trustee;

“pension trustee work” means the work as a trustee carried out by the applicant in relation to trust schemes;

“pension scheme registration number”, in relation to a scheme, refers to the number given to the scheme when it is placed on the register of occupational and personal pension schemes compiled and maintained by the Regulator<sup>M1</sup>;

“the Regulator” means the Pensions Regulator established under section 1 of the 2004 Act (the Pensions Regulator);

“relevant individual” means a director, member of the committee of management, chief executive, designated member in relation to a limited liability partnership, partner or controller;

“trustee register” means the register compiled and maintained by the Regulator under regulation 2;

and other expressions used in these Regulations have the same meaning as in Part 1 of the 1995 Act (occupational pension schemes).

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**Marginal Citations**

**M1** Under section 59(1) of the 2004 Act the Regulator is required to compile and maintain a register of occupational and personal pension schemes which are or have been “registrable schemes”.

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**Changes to legislation:** *There are currently no known outstanding effects for the The Occupational Pension Schemes (Independent Trustee) Regulations 2005, Section 1. (See end of Document for details)*

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“Registrable schemes” are prescribed in the [Register of Occupational and Personal Pension Schemes Regulations 2005 \(S.I. 2005/597\)](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Occupational Pension Schemes (Independent Trustee) Regulations 2005, Section 1.