
STATUTORY INSTRUMENTS

2007 No. 814

**The Occupational and Personal Pension Schemes
(Miscellaneous Amendments) Regulations 2007**

Amendment of the Occupational Pension Schemes (Scheme Funding) Regulations 2005

15.—(1) Amend the Occupational Pension Schemes (Scheme Funding) Regulations 2005(1) as follows.

(2) In regulation 17(1) (exemptions-general)—

(a) in sub-paragraph (h)—

(i) for “a scheme which has” substitute “a scheme with”;

(ii) in head (i) for “all decisions which fall to be made by the trustees are” substitute “any decision made by the trustees is”; and

(iii) in head (ii), for “who is an independent trustee” substitute “who is independent”; and

(b) in sub-paragraph (i)—

(i) for “a scheme which has” substitute “a scheme with”;

(ii) for “where a company is a trustee” substitute “where a company is the sole trustee”;

(iii) in head (i), for “is made only by the unanimous agreement” substitute “is made by the unanimous agreement”; and

(iv) in head (ii), for “one of the directors is a trustee who” substitute “one of the directors of the company”.

(3) In Schedule 3 (supplementary and consequential provisions) in paragraph 3(2)—

(a) for “paragraph (1)(b)” substitute “sub-paragraph (1)(b)”;

(b) for “(except excluded persons)” substitute “(except excluded persons or a member or beneficiary whose only entitlement to benefits under the scheme is, or will be, to money purchase benefits)”;

(c) for sub-paragraph (c) substitute—

“(c) an estimate by the actuary of the solvency of the scheme, or, if the actuary has made more than one estimate of solvency, the latest such estimate;

(d) whether any payment has been made to the employer under section 37 of the 1995 Act—

(i) in the case of the first summary funding statement issued in respect of the scheme, in the 12 months preceding the date on which it is prepared, and

(ii) in the case of any subsequent summary funding statement, since the date of the last such statement,

and, if so, the amount of the payment.”.

(4) In Schedule 4 (transitional provisions and savings) in paragraph 3—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in sub-paragraph (4) omit “and the trustees or managers have determined before that date” to the end of that sub-paragraph; and
- (b) in sub-paragraph (5) for “the effective date they have determined” substitute “an effective date which is no earlier than 22nd September 2005 and not more than three years after the effective date of the last valuation they received under the 1995 Act.”.