

**2008 No. 661**

**PENSIONS**

**The Occupational and Personal Pension Schemes (General Levy) (Amendment) Regulations 2008**

<i>Made</i> - - - -	<i>9th March 2008</i>
<i>Laid before Parliament</i>	<i>11th March 2008</i>
<i>Coming into force</i> - -	<i>1st April 2008</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 175, 181(1) and 182(2) of the Pension Schemes Act 1993(a).

In accordance with section 185(1) of that Act(b), he has consulted such persons as he considers appropriate.

**Citation and commencement**

1. These Regulations may be cited as the Occupational and Personal Pension Schemes (General Levy) (Amendment) Regulations 2008 and shall come into force on 1st April 2008.

**Amendment of the Occupational and Personal Pension Schemes (General Levy) Regulations 2005**

2.—(1) The Occupational and Personal Pension Schemes (General Levy) Regulations 2005(c) shall be amended in accordance with this regulation.

(2) For regulation 6(2) (amount of the general levy: occupational pension schemes), substitute—  
“(2) This is the table—

<i>Number of members on the reference day</i>	<i>Amount of levy calculated by reference to number of members (M)</i>	<i>Minimum amount of levy</i>
2 to 11		£33
12 to 99	£3.35 x M	
100 to 999	£2.42 x M	£340
1,000 to 4,999	£1.88 x M	£2,420
5,000 to 9,999	£1.43 x M	£9,400
10,000 or more	£1.00 x M	£14,300.”

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(a) 1993 c.48. Section 175 was substituted by section 165 of the Pensions Act 1995 (c.26) and amended by paragraph 26 of Schedule 1, paragraph 28 of Schedule 12 and Schedule 13 to the Pensions Act 2004 (c.35). Section 181(1) is cited for the meaning it gives to the words “prescribe” and “regulations”.  
(b) Section 185(1) was amended by paragraph 46 of Schedule 3 and paragraph 80(a) of Schedule 5 to the Pensions Act 1995.  
(c) S.I. 2005/626.

(3) For regulation 7(2) (amount of the general levy: personal pension schemes), substitute—  
“(2) This is the table—

<i>Number of members on the reference day</i>	<i>Amount of levy calculated by reference to number of members (M)</i>	<i>Minimum amount of levy</i>
2 to 11		£14
12 to 99	£1.34 x M	
100 to 999	£0.94 x M	£140
1,000 to 4,999	£0.81 x M	£940
5,000 to 9,999	£0.54 x M	£4,050
10,000 or more	£0.41 x M	£5,400.”.

Signed by authority of the Secretary of State for Work and Pensions.

9th March 2008

*Mike O'Brien*  
Minister of State,  
Department for Work and Pensions

#### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Occupational and Personal Pension Schemes (General Levy) Regulations 2005 (S.I. 2005/626) (“the 2005 Regulations”).

Regulation 2 substitutes regulations 6(2) and 7(2) of the 2005 Regulations. This specifies the new figures to be used in calculating the rate at which the general levy is payable. The new figures apply for each financial year starting with the one which begins on 1st April 2008. The purpose of the general levy is to meet the expenditure mentioned in section 175(1) of the Pension Schemes Act 1993 (c.48). Specified occupational and personal pension schemes pay the general levy (see regulation 3 of the 2005 Regulations).

The figures used to calculate the rate of the general levy have increased to reflect higher expenditure by the Pensions Regulator, the Pensions Advisory Service and the Pensions Ombudsman and the recovery of a £20.8million deficit from previous years.

These Regulations have only a negligible impact on the cost of business, charities or the voluntary sector. Publication of a full Impact Assessment is not necessary for such legislation.

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