
STATUTORY INSTRUMENTS

2016 No. 427

The Occupational Pension Schemes (Scheme Administration) (Amendment) Regulations 2016

Amendment of regulation 1

4. For regulation 1(2ZA) (meanings for the purposes of the definition of “relevant multi-employer scheme”)(1) substitute—

“(2ZA) For the purposes of the definition of “relevant multi-employer scheme”, a participating employer is “connected” to another employer where either of the following conditions is satisfied—

- (a) the first condition is that both employers—
 - (i) are or have been part of the same group of companies consisting of one or more holding companies and subsidiaries of any such companies within the meaning of section 1159(1) of the Companies Act 2006(2) (meaning of “subsidiary” etc.); or
 - (ii) are or have been partnerships, each having the same persons as at least half of its partners;
- (b) the second condition is that the participating employer which is not a company within the group referred to in paragraph (a)(i)—
 - (i) forms or formed a joint venture with that other employer within the group;
 - (ii) jointly employs or employed members of the scheme with that other employer within the group;
 - (iii) employs active members of the scheme following a transfer from that other employer within the group;
 - (iv) holds, held, controls or controlled at least 20% of the voting power in that other employer within the group; or
 - (v) is or was an employer 20% of whose voting power is or was held or controlled by that other employer within the group.”.

(1) Regulation 1(2ZA) was inserted by the 2015 Regulations, regulation 21(b).

(2) 2006 c.46.