
STATUTORY INSTRUMENTS

2018 No. 1102

The Occupational Pension Schemes (Cross-border Activities) (Amendment) Regulations 2018

Amendment of the Pensions Act 2004

2.—(1) Part 7 of the Pensions Act 2004 (cross-border activities within European Union)⁽¹⁾ is amended as follows.

(2) In section 287 (occupational pension scheme receiving contributions from European employer), in subsection (4)(a), for “two months” substitute “six weeks”.

(3) In section 289 (approval in relation to particular European employer), in subsection (2)(b), at the end insert “, stating the reasons for not so approving them”.

(4) In section 290 (notification of legal requirements of host member State outside United Kingdom)—

(a) in subsection (1)(b), for “Article 20(5)” substitute “Article 11(7)” in both places where it occurs;

(b) in subsection (2)(b), for “Article 20(8)” substitute “Article 11(9)”.

(5) In section 293 (functions of Regulator in relation to institutions administered in other member States)—

(a) in subsection (1), for “Article 20” substitute “Article 11”;

(b) in subsection (2)—

(i) for “Article 20(4)” substitute “Article 11(4)”;

(ii) for “two months” substitute “six weeks”;

(c) in subsection (8), in the definition of “European pensions institution”, for “Article 6(a)” substitute “Article 6(1)”.

(6) In section 294 (stopping disposal of assets of institutions administered in other member States), in subsection (6), in the definition of “UK-held assets”, for “Article 19(3)” substitute “Article 33(4)”.

(7) In section 295 (interpretation of Part 7)—

(a) in the definition of “the Directive”, for “2003/41/EC” substitute “(EU) 2016/2341(2)”;

(b) in the definition of “social and labour law”, for “Article 20” substitute “Article 11”.

⁽¹⁾ Part 7 of the Pensions Act 2004 was amended by [S.I. 2007/3014](#); there are other amending Acts and instruments but none is relevant.

⁽²⁾ OJNo. L 354, 23.12.2016, p.37.