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STATUTORY INSTRUMENTS

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**2019 No. 192**

**The Occupational and Personal Pension Schemes  
(Amendment etc.) (EU Exit) Regulations 2019**

**PART 2**

Amendment of primary legislation

**Amendment of the Pensions Act 2004**

- 5.—(1) The Pensions Act 2004<sup>(1)</sup> is amended as follows.
- (2) In section 73 (inspection of premises), in subsection (2)(a), in the list of provisions—
- (a) in the parenthetical description of section 253, for “non-European” substitute “non-UK”, and
  - (b) omit “Part 7 (cross-border activities within European Union);”.
- (3) In section 87 (other permitted disclosures), in subsection (2)(h)<sup>(2)</sup>, for “an EU obligation” substitute “retained EU law”.
- (4) In section 115 (borrowing), in subsection (3)<sup>(3)</sup>, in the definition of “deposit-taker” omit paragraph (b) and the “or” before it.
- (5) In section 201 (other permitted disclosures), in subsection (2)(g)<sup>(4)</sup>, for “an EU obligation” substitute “retained EU law”.
- (6) In section 249A (requirement for internal controls)<sup>(5)</sup>, omit subsection (4).
- (7) In section 253 (non-European scheme to be trust with UK-resident trustee)<sup>(6)</sup>—
- (a) in the heading, for “Non-European” substitute “Non-UK”, and
  - (b) in subsections (1) and (6), for “EEA states” substitute “United Kingdom”.
- (8) In section 254 (representative of non-European scheme to be treated as trustee)<sup>(7)</sup>—
- (a) in the heading, for “non-European” substitute “non-UK”, and
  - (b) in subsection (1), for “EEA states” substitute “United Kingdom”.
- (9) Omit Part 7 (cross-border activities within European Union).
- (10) In section 307(2) (modification of this Act in relation to certain categories of schemes) omit paragraph (f) and the “and” before it.

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(1) 2004 c. 35.

(2) Subsection (2) was amended by S.I. 2011/1043.

(3) Subsection (3) was amended by paragraph 104(2) of Schedule 18 to the Financial Services Act 2012 (c. 21).

(4) Subsection (2) was amended by S.I. 2011/1043.

(5) Subsection 249A was inserted by S.I. 2005/3379.

(6) Section 253 was amended by S.I. 2007/3014.

(7) Section 254 was amended by S.I. 2007/3014.

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**Status:** This is the original version (as it was originally made).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

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(11) In Schedule 3 (restricted information held by the Regulator) and Schedule 8 (restricted information held by the Board)(8), in the entry in the table relating to a recognised investment exchange, in the first column omit “, EEA CSD” and “, EEA central counterparty”.

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(8) Schedules 3 and 8 were amended by [S.I. 2013/504](#), [2017/1064](#).