

2009 No. 617

PENSIONS

**The Pensions Regulator (Miscellaneous Amendment)
Regulations 2009**

<i>Made</i> - - - -	<i>11th March 2009</i>
<i>Laid before Parliament</i>	<i>16th March 2009</i>
<i>Coming into force</i> - -	<i>6th April 2009</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 43(9), 69(2), 315(2) and 318(1) of the Pensions Act 2004(a).

In accordance with section 317(1) of that Act the Secretary of State has consulted such persons as the Secretary of State considers appropriate.

Citation and commencement

1. These Regulations may be cited as the Pensions Regulator (Miscellaneous Amendment) Regulations 2009 and shall come into force on 6th April 2009.

Amendment of the Pensions Regulator (Financial Support Directions etc.) Regulations 2005

2.—(1) The Pensions Regulator (Financial Support Directions etc.) Regulations 2005(b) are amended in accordance with this regulation.

(2) For regulation 5 (prescribed period), substitute—

“Prescribed period

5.—(1) Subject to paragraph (2), the period prescribed for the purposes of section 43(9) (financial support directions – prescription of relevant time) is 24 months.

(2) Until 6th April 2010 (the “Transition Date”), the period at paragraph (1) is reduced by a period equal to the number of complete months then remaining until the Transition Date.

(3) For the purposes of paragraph (2), a complete month means a period from and including the sixth day of a month to and including the fifth day of the following month.”.

Amendment of the Pensions Regulator (Notifiable Events) Regulations 2005

3.—(1) The Pensions Regulator (Notifiable Events) Regulations 2005(c) are amended in accordance with this regulation.

(a) 2004 c.35; section 318(1) is cited because of the meaning it gives to “prescribed” and “regulations”.
(b) S.I. 2005/2188, amended by S.I. 2005/2224 and 2008/731.
(c) S.I. 2005/900, amended by S.I. 2005/2113.

(2) In regulation 1(2) (interpretation), omit the definition of “key employer posts” and “key scheme posts”.

(3) In regulation 2 (notifiable events)—

- (a) in paragraph (1), omit sub-paragraph (b); and
- (b) in paragraph (2), omit sub-paragraphs (e) and (g).

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

William D. McKenzie.
Parliamentary Under-Secretary of State,
Department for Work and Pensions

11th March 2009

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Pensions Regulator (Financial Support Directions etc.) Regulations 2005 (S.I. 2005/2188) and the Pensions Regulator (Notifiable Events) Regulations 2005 (S.I. 2005/900).

Regulation 1 provides for citation and commencement.

Regulation 2 amends the Pensions Regulator (Financial Support Directions etc.) Regulations 2005 by substituting regulation 5 of those Regulations with a new provision which specifies the period within which the Pensions Regulator may determine to issue a financial support direction under section 43(2) of the Pensions Act 2004 (c.35).

Regulation 3 amends the Pensions Regulator (Notifiable Events) Regulations 2005 by omitting certain provisions of regulation 2 of those Regulations which concern the reporting of certain scheme and employer-related events to the Pensions Regulator.

A full impact assessment has not been published for this instrument as it has only a negligible impact on the private, public and voluntary sectors.

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