
DRAFT STATUTORY INSTRUMENTS

2022 No.

PENSIONS

The Occupational Pension Schemes (Collective
Money Purchase Schemes) Regulations 2022

Made - - - - *****
Coming into force *1st August 2022*

THE OCCUPATIONAL PENSION SCHEMES (COLLECTIVE
MONEY PURCHASE SCHEMES) REGULATIONS 2022

PART 1

Preliminary provisions

1. Citation, extent and commencement
2. Interpretation and notices
3. Connected employers

PART 2

Schemes divided into sections

4. Qualifying schemes
5. Schemes divided into sections

PART 3

Authorisation

6. Authorisation: contents
7. Application for authorisation: fee
8. Fit and proper persons requirement
9. Scheme design requirement
10. Viability report
11. Viability certificate
12. Financial sustainability requirement
13. Communication requirement
14. Systems and processes requirement
15. Continuity strategy: contents
16. Continuity strategy: administration charges

PART 4

Valuation and benefit adjustment

17. Calculation of benefits
18. Advice of scheme actuary
19. Actuarial valuations
20. Reporting requirements relating to benefit adjustments
21. Powers of the Regulator

PART 5

Ongoing supervision

22. Supervisory return: contents
23. Significant events
24. Risk notices

PART 6

Triggering events and continuity options

25. Triggering events: notification requirements
26. Implementation strategy: approval
27. Implementation strategy: charges
28. Implementation strategy: content
29. Continuity option 1: discharge of liabilities and winding up
30. Continuity option 2: resolving the triggering event
31. Continuity option 3: conversion to closed scheme
32. Periodic reporting requirement
33. Pause orders
34. Administration charges during a triggering event period

PART 7

Collective money purchase benefits – amendments to secondary legislation

35. Collective money purchase benefits – amendments to secondary legislation
Signature

SCHEDULE 1 — Fit and proper persons requirement

1. (1) In this Schedule— “arrangement” means a voluntary arrangement entered...
2. For the purposes of section 11(3)(a) of the Act (fit...
3. For the purposes of section 11(3)(a) of the Act, the...

SCHEDULE 2 — Scheme design requirement

Part 1 — Matters that the Regulator must take into account

1. The Regulator must take into account the following matters in...
Part 2 — Viability report

Preliminary

2. A viability report must include the information set out in...

General

3. The date which has been chosen in respect of the...
4. The name and contact details of the person to be...
5. A statement, signed by the trustees confirming that—
6. A statement, signed by the scheme actuary, confirming that, to...
7. The name of the scheme in respect of which the...

Information about the design of the scheme

8. (1) An explanation of— (a) the design of the scheme;...
9. The explanation required by paragraph 8(1) must include—
Part 3 — Viability certificate
10. The viability certificate must contain the information set out in...
11. The date which has been agreed in respect of the...
12. The name and contact details of the scheme actuary.
13. The name of the scheme in respect of which the...
14. A statement, signed by the scheme actuary, confirming that—

SCHEDULE 3 — Financial sustainability requirement

Part 1 — Information required on application for authorisation

1. The other information to be included in an application, in...
Part 2 — Matters which the Regulator must take into account
2. The Regulator must take account of the following matters in...
3. The Regulator must take account of the following matters in...
Part 3 — Requirements to be met by the collective money purchase scheme
4. A collective money purchase scheme must meet the following requirements...

SCHEDULE 4 — Communication requirement

Interpretation

1. In this Schedule— “scheme communication” means a notification, notice, document,...

Preliminary

2. The matters that the Regulator must take into account in...

Functionality, quality and maintenance of IT systems

3. Whether the IT systems used for the purposes of carrying...

Resource planning

4. Whether there are systems and processes for ensuring that there...

Quality assurance

5. Whether there are systems and processes— (a) for assessing and...

Member engagement

6. Whether there are systems and processes— (a) for gathering feedback...

SCHEDULE 5 — Systems and processes requirement

Preliminary

1. The matters that the Regulator must take into account in...

Features and functionality of IT systems

2. Whether the IT systems have the capacity and capability—

Standards required of IT systems

3. Whether the IT systems— (a) are capable of being upgraded...

Maintenance of IT systems

4. Whether the IT systems— (a) are maintained at regular intervals,...

Member records

5. Whether the scheme's systems and processes ensure that—

Trustees and others

6. Whether there are systems and processes— (a) for the fair...

Contracts and service providers

7. Whether there are systems and processes— (a) for establishing that...

Governance

8. Whether there are systems and processes— (a) for the identification...

Risk management

9. Whether there are systems and processes— (a) for identifying, managing...

Security

10. Whether there are systems and processes— (a) for preventing unauthorised...

Resource planning

11. Whether there are systems and processes for ensuring that there...

Investments

12. Whether there are systems and processes— (a) for investing contributions...

Valuation and benefit adjustment

13. Whether there are systems and processes— (a) for ensuring that...

Member engagement

14. Whether there are systems and processes— (a) for facilitating members'...

SCHEDULE 6 — Continuity Option 1: transfer out and winding up

Definitions

1. (1) In this Schedule— “arrangement” has the meaning given in...

Alternative ways of discharging the scheme’s liability

2. (1) For the purposes of section 36(2)(b) of the Act...

Requirements of rules of scheme

3. (1) The rules of a collective money purchase scheme must...

Winding-up commencement time

4. (1) Where the trustees of a collective money purchase scheme...

Quantification of the value of beneficiaries’ accrued rights to benefits

5. (1) The quantification of the value of each beneficiary’s accrued...

Winding-up period

6. (1) Subject to sub-paragraph (5), no new members may be...

Periodic income

7. (1) Where a person was a pensioner beneficiary of the...

Information about periodic income

8. (1) The information mentioned in sub-paragraph (2) must be given...

Scheme to continue to be a CMPS during winding-up

9. (1) A “collective money purchase scheme” for the purposes of...

Trustees’ notice to employers

10. (1) The trustees of a collective money purchase scheme that...

Notification to receiving scheme

11. (1) The trustees of a collective money purchase scheme that...

Trustees’ first notice to beneficiaries in respect of discharge options

12. (1) The trustees of a collective money purchase scheme that...

Trustees’ second notice to beneficiaries in respect of discharge options

13. (1) The trustees of a collective money purchase scheme that...

Beneficiaries’ response to trustees

14. (1) A beneficiary who has received notice from the trustees...

Notice of expected discharge time

15. Not less than one month before the date of the...

Trustees' powers

16. (1) This paragraph applies where the trustees of a collective...

Trustees' duty to transfer

17. (1) If the trustees of a collective money purchase scheme...

Administration charges

18. (1) This paragraph applies to the trustees or managers of...

Trustee discharge

19. Where the trustees of a collective money purchase scheme that...

Winding up

20. As soon as practicable after the trustees of a collective...

Regulator's power to direct

21. (1) The Regulator may direct the trustees of a collective...

Civil penalties

22. Section 10 of the 1995 Act (civil penalties) applies to...

SCHEDULE 7 — Collective money purchase benefits: amendments to secondary legislation

1. Amendments to the Occupational Pension Schemes (Scheme Administration) Regulations 1996
2. Amendment of the Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations 2010
3. Amendments to the Occupational Pension Schemes (Charges and Governance) Regulations 2015
4. (1) Regulation 2 (interpretation) is amended as follows.
5. In regulation 3 (default arrangement), in paragraph (9), at the...
6. After regulation 3, insert— Qualifying collective money purchase schemes
(1) A relevant scheme is a “qualifying collective money purchase...
7. In the heading to Chapter 1 of Part 2 (default...
8. (1) Regulation 4 (restrictions on charges) is amended as follows...
9. In the heading to regulation 5 (prohibited charge structures), after...
10. After regulation 5 (prohibited charge structures), insert— Prohibited charge structures...
11. In the heading to regulation 6 (limits on charges), after...
12. After regulation 6 (limits on charges) insert— Limits on charges...
13. In the heading to regulation 7 (assessment of charges), after...
14. After regulation 7 (assessment of charges) insert— Assessment of charges...
15. In the heading to regulation 8 (alternative assessment of charges)...
16. After regulation 8 (alternative assessment of charges) insert— Alternative assessment...
17. (1) Regulation 9 (member agreement for services) is amended as...
18. In paragraph (1) of regulation 10 (charge limits adjustment), after...
19. In paragraph (5) of regulation 11 (non-contributing members), in the...
20. (1) Regulation 11A (payments to advisers) is amended as follows...

21. In regulation 11B (relevant information), after paragraph (7) insert—
22. For paragraph (5) of regulation 11C (member agreement for payments...

Explanatory Note