
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Pensions Dashboards Regulations 2022

PART 3

**Requirements relating to trustees or managers
of relevant occupational pension schemes**

CHAPTER 1

Requirements relating to cooperation and connection

Cooperation - trustees or managers

14.—(1) Subject to paragraph (2), trustees or managers must comply with the requirement specified in paragraph (3) from the day after the date on which these Regulations come into force.

(2) Trustees or managers of a pension scheme which is not covered by the staging profile, but who are granted permission to connect that scheme to the Money and Pensions Service on a voluntary basis under regulation 16(1)(b), must comply with the requirement specified in paragraph (3) from the day after the date on which that permission is granted.

(3) The requirement is to cooperate with the Money and Pensions Service to assist with the exercise of its functions in relation to pensions dashboard services, including providing information in accordance with service standards and operational standards published from time to time by the Money and Pensions Service.

Connection according to the staging profile

15.—(1) Trustees or managers of a pension scheme which exists at the reference date and which has 100 or more relevant members at the reference date must—

- (a) register the scheme with the Money and Pensions Service, having regard to the guidance referred to in paragraph (2)(d), and
- (b) meet the requirements in paragraphs (2), (4) and (5).

(2) Unless a different deadline for connecting to the Money and Pensions Service already applies pursuant to regulation 16, 17, 19 or 20, trustees or managers must connect the pension scheme to the Money and Pensions Service—

- (a) by no later than the staging deadline relevant to the scheme as set out in the fourth column of the table in Part 1 or 2 of Schedule 2 (staging profile);
- (b) within the connection window for the scheme as referred to in paragraph (3);
- (c) in compliance with—
 - (i) connection and security standards, and
 - (ii) technical standards,
published from time to time by the Money and Pensions Service;

- (d) having regard to guidance on connection issued from time to time by the Money and Pensions Service and the Regulator either separately or jointly.
- (3) For the purposes of paragraph (2)(b), the “connection window” for the scheme means—
 - (a) in the case of schemes within cohort 1(a) of the staging profile, the period of 5 months leading up to and including the staging deadline;
 - (b) in the case of schemes within any other cohort of the staging profile, the period of one month leading up to and including the staging deadline.
- (4) Trustees or managers must keep a record of how they have carried out the steps set out in the guidance on connection referred to in paragraph (2)(d), or of alternative steps they have taken in order to comply with the requirements in this Part on connecting their pension scheme to the Money and Pensions Service, for at least 6 years from the end of the scheme year to which they relate.
- (5) Trustees or managers must do the following—
 - (a) notify the Money and Pensions Service without delay of any of the following, in compliance with service standards and operational standards published from time to time by the Money and Pensions Service—
 - (i) connection state changes, such as downtime (whether scheduled or unscheduled) or maintenance;
 - (ii) systemic issues, such as cyber-attacks that could affect the security of the dashboards ecosystem;
 - (b) notify the Money and Pensions Service of any change in connection arrangements.
- (6) The staging deadline that applies to a pension scheme under paragraph (2)(a) remains fixed, even if there is a change in the classification of the scheme type or in its size, unless—
 - (a) the deadline changes pursuant to regulation 16, 17, 19 or 20, or
 - (b) all the members of the scheme become pensioner members.
- (7) Once a scheme has connected to the Money and Pensions Service, trustees or managers must use every endeavour to ensure that the scheme remains connected at all times.

Early or voluntary connection

- 16.—**(1) Where trustees or managers—
- (a) wish to connect a pension scheme to the Money and Pensions Service earlier than the start of the connection window for the scheme as provided for in regulation 15(3), or
 - (b) wish to connect a pension scheme to the Money and Pensions Service on a voluntary basis in circumstances where the scheme has fewer than 100 relevant members,
- they must apply to the Money and Pensions Service for permission for the pension scheme to connect to the Money and Pensions Service early or on a voluntary basis.
- (2) When applying for permission to connect under paragraph (1), trustees or managers must have regard to guidance on early or voluntary connection issued from time to time by the Money and Pensions Service.
- (3) Subject to consultation with the Regulator, except where the Money and Pensions Service and the Regulator agree that such consultation is not needed, the Money and Pensions Service may grant permission for early or voluntary connection by such a date as the Money and Pensions Service considers appropriate (referred to in this regulation as the “agreed deadline”).
- (4) Where permission is granted for early or voluntary connection under paragraph (3)—
- (a) the agreed deadline remains fixed, even if there is a change in the classification of the scheme type or in its size, unless—

- (i) permission to defer connection is given under regulation 17, or
 - (ii) all the members of the scheme become pensioner members;
- (b) the connection window for the scheme is—
- (i) in the case of schemes connecting early, the period beginning one month before the agreed deadline and ending with the staging deadline that would have applied to the scheme under regulation 15(2)(a) if permission to connect early had not been applied for;
 - (ii) in the case of schemes connecting on a voluntary basis, the period of one month leading up to and including the agreed deadline.
- (5) Once permission to connect early or on a voluntary basis has been granted under paragraph (4), trustees or managers must—
- (a) register the scheme with the Money and Pensions Service, having regard to the guidance referred to in regulation 15(2)(d);
 - (b) connect the pension scheme to the Money and Pensions Service within the connection window referred to in paragraph (4)(b), in compliance with the standards referred to in regulation 15(2)(c) and having regard to the guidance referred to in regulation 15(2)(d);
 - (c) meet the requirements in regulation 15(4) and (5).

Deferred connection

17.—(1) Where the trustees or managers wish to defer the staging deadline that applies to a pension scheme by virtue of regulation 15(2)(a), they may apply to the Secretary of State for permission to do this if—

- (a) no more than 12 months has passed since the coming into force of these Regulations;
 - (b) a deferral has not been permitted in respect of the pension scheme previously;
 - (c) they submit an application at least 2 months before the relevant staging deadline.
- (2) If applying to defer the staging deadline that applies to a pension scheme, trustees or managers must—
- (a) submit evidence to demonstrate that at least one of the following conditions applies—
 - (i) that before the coming into force of these Regulations, they had embarked on a programme to transfer the data held by the pension scheme to a new administrator;
 - (ii) that before the coming into force of these Regulations, they had entered into a contract containing an obligation to retender the administration of the scheme, and that the timetable for this is reasonable and conflicts with the staging deadline;
 - (b) submit evidence to demonstrate that complying with the staging deadline—
 - (i) would be disproportionately burdensome, or
 - (ii) would put the personal data of members at risk;
 - (c) set out the steps being taken to ensure that the pension scheme can connect to the Money and Pensions Service at the earliest opportunity.
- (3) The Secretary of State, following consultation with the Regulator and with the Money and Pensions Service, may by notice—
- (a) grant permission to defer the staging deadline until such a date within 12 months of the staging deadline as the Secretary of State considers appropriate (referred to in this regulation as the “agreed deadline”), or
 - (b) refuse to grant permission to defer the staging deadline.

- (4) Where permission is granted to defer the staging deadline under paragraph (3)(a)—
- (a) the agreed deadline remains fixed, even if there is a change in the classification of the scheme type or in its size, unless—
 - (i) permission to connect early is given under regulation 16, or
 - (ii) all the members of the scheme become pensioner members;
 - (b) the connection window for the scheme is the period of one month leading up to and including the agreed deadline.
- (5) Once permission has been granted to defer the staging deadline under paragraph (3)(a), trustees or managers must—
- (a) register the scheme with the Money and Pensions Service, having regard to the guidance referred to in regulation 15(2)(d);
 - (b) connect the pension scheme to the Money and Pensions Service within the connection window referred to in paragraph (4)(b), in compliance with the standards referred to in regulation 15(2)(c) and having regard to the guidance referred to in regulation 15(2)(d);
 - (c) meet the requirements in regulation 15(4) and (5).

Connection where the staging profile does not apply

18.—(1) If—

- (a) a pension scheme does not exist at the reference date or has fewer than 100 relevant members at the reference date, but is established (if it did not exist previously) and has 100 or more relevant members within two years of the reference date (that is, at a scheme year end between 1st April 2021 and 31st March 2023 inclusive), and
- (b) the trustees or managers have not been granted permission for the scheme to connect on a voluntary basis under regulation 16,

then the deadline for connecting to the Money and Pensions Service is as provided for in paragraph (2).

- (2) The deadline is whichever is the later of the following—
- (a) 6 months from the end of the scheme year in which the scheme first exists and has 100 or more relevant members, or
 - (b) the staging deadline for the equivalent scheme type and size (as if it did exist at the reference date).

(3) If—

- (a) a pension scheme does not exist at the reference date or has fewer than 100 relevant members at the reference date, but is established (if it did not exist previously) and has 100 or more relevant members following a scheme year end on or after 1st April 2023, and
- (b) the trustees or managers have not been granted permission for the scheme to connect on a voluntary basis under regulation 16,

then the deadline for connecting to the Money and Pensions Service is to be 6 months after the end of the scheme year during which the scheme is first established and has 100 or more relevant members.

- (4) Once a deadline applies pursuant to paragraph (2) or (3)—
- (a) that deadline remains fixed, even if there is a change in the classification of the scheme type or in its size, unless—
 - (i) permission to connect early or to defer connection is given under regulation 16 or 17 respectively, or
 - (ii) all the members of the scheme become pensioner members;

- (b) the connection window for the scheme is the period of one month leading up to and including that deadline.
- (5) Trustees or managers must—
 - (a) register the scheme with the Money and Pensions Service, having regard to the guidance referred to in regulation 15(2)(d);
 - (b) connect the pension scheme to the Money and Pensions Service within the connection window referred to in paragraph (4)(b), in compliance with the standards referred to in regulation 15(2)(c) and having regard to the guidance referred to in regulation 15(2)(d);
 - (c) meet the requirements in regulation 15(4) and (5).

Connection where these Regulations cease to apply and then apply again

- 19.**—(1) Paragraph (2) applies in cases where—
- (a) Parts 3 and 4 of these Regulations cease to apply to trustees or managers of a pension scheme, on account of an exception in regulation 3(4)(a), (b) or (c) applying, and
 - (b) Parts 3 and 4 of these Regulations subsequently apply again to those trustees or managers, on account of an exception in regulation 3(4)(a), (b) or (c) no longer applying (referred to in this regulation as the scheme “coming back into scope of the Regulations”).
- (2) On coming back into scope of the Regulations, the deadline for connecting to the Money and Pensions Service is to be whichever is the later of the following—
- (a) 6 months from the end of the scheme year end in which the scheme comes back into scope, or
 - (b) the deadline for connecting to the Money and Pensions Service that applied previously, under whichever of regulation 15 to 18 or 20 is relevant in the circumstances.
- (3) Once a deadline applies pursuant to paragraph (2)—
- (a) the deadline remains fixed, even if there is a change in the classification of the scheme type or in its size, unless—
 - (i) permission or further permission to connect early or to defer connection is given under regulation 16 or 17 respectively (in which case the rules in those provisions apply instead), or
 - (ii) all the members of the scheme become pensioner members;
 - (b) the connection window for the scheme is the period of one month leading up to and including the deadline.
- (4) Trustees or managers must—
- (a) register the scheme with the Money and Pensions Service, having regard to the guidance referred to in regulation 15(2)(d);
 - (b) connect the pension scheme to the Money and Pensions Service within the connection window referred to in paragraph (3)(b), in compliance with the standards referred to in regulation 15(2)(c) and having regard to the guidance referred to in regulation 15(2)(d);
 - (c) meet the requirements in regulation 15(4) and (5).

Connection affected by an assessment period

- 20.**—(1) If an assessment period in relation to a pension scheme begins before the scheme has connected to the Money and Pensions Service—
- (a) trustees or managers are not required to connect the scheme to the Money and Pensions Service before the assessment period ends, and

- (b) if, when the assessment period ends, the scheme continues to function as a pension scheme, the deadline for connecting to the Money and Pensions Service is whichever is the later of the following—
 - (i) 6 months beginning with the day after the date on which the assessment period ends, or
 - (ii) the deadline for connecting to the Money and Pensions Service that applied previously, under whichever of regulations 15 to 19 is relevant in the circumstances.
- (2) Once a deadline applies pursuant to paragraph (1)(b)—
 - (a) the deadline remains fixed, even if there is a change in the classification of the scheme type or in its size, unless—
 - (i) permission to connect early or to defer connection is given under regulation 16 or 17 respectively, or
 - (ii) all the members of the scheme become pensioner members;
 - (b) the connection window for the scheme is the period of one month leading up to and including the deadline.
- (3) Trustees or managers must—
 - (a) register the scheme with the Money and Pensions Service, having regard to the guidance referred to in regulation 15(2)(d);
 - (b) connect the pension scheme to the Money and Pensions Service within the connection window referred to in paragraph (2)(b), in compliance with the standards referred to in regulation 15(2)(c) and having regard to the guidance referred to in regulation 15(2)(d);
 - (c) meet the requirements in regulation 15(4) and (5).
- (4) If an assessment period in relation to a section of a scheme or a segregated part of a scheme begins before the scheme has connected to the Money and Pensions Service, this does not affect the requirement for the scheme to connect to the Money and Pensions Service unless all the sections or segregated parts of the scheme are subject to the assessment period.

Notification of disconnection

21. The trustees or managers of a pension scheme which disconnects from the Money and Pensions Service must notify the Money and Pensions Service as soon as possible.