

## SCHEDULE 2

Regulation 4

### INFORMATION TO BE PROVIDED BY TRUSTEES OR MANAGERS

#### 1.—(1) In this Schedule—

<sup>F1</sup> ...

<sup>F2</sup> “determination” means a determination made by the Board under section 143(2)(a);

“determination summary” means, in relation to each member of the scheme, a summary of the determination which contains—

- (a) a summary of the overall assets and liabilities of the scheme;
- (b) details of how that member’s entitlement to compensation would be calculated if the Board assumed responsibility for the scheme;
- (c) details of any information the Board holds on that member’s pensionable service and accrued rights;
- (d) where there is a pension in payment to that member at the assessment date, the annual amount of that pension; and
- (e) a statement describing how an application may be made to the Board for the review of the determination, how it will be considered and the Board’s powers on making a review decision; ]

“hybrid scheme” shall be construed in accordance with section 307(4);

“notification date” means the day on which the Board notifies the trustees or managers of the scheme [<sup>F3</sup>in accordance with regulation 3(3)(b), (10)(b) or (d)] of the date on which the assessment period began;

“partially guaranteed scheme” shall be construed in accordance with section 307(3);

“relevant contract of insurance” shall be construed in accordance with section 161(8) (effect of Board assuming responsibility for a scheme);

“reviewable ill health pension” shall be construed in accordance with section 140 (reviewable ill health pensions);

“valuation” means a valuation, or further valuation <sup>M1</sup>, which has been—

- (a) obtained by the Board in respect of the scheme under—
  - (i) section [<sup>F4</sup>143(2)(b)] (Board's obligation to obtain valuation of assets and protected liabilities); or
  - (ii) regulation 43 or 59 of the Pension Protection Fund (Multi-employer Schemes) (Modification) Regulations 2005; and
- (b) approved by the Board under section 144(2) (approval of valuation);

“valuation summary” means, in relation to each member of the scheme, a summary of the valuation which contains—

- (a) a summary of the overall assets and liabilities of the scheme;
- (b) details of how that member's entitlement to compensation would be calculated if the Board assumed responsibility for the scheme;
- (c) details of any information the Board holds on that member's pensionable service and accrued rights;
- (d) where there is a pension in payment to that member at the assessment date, the annual amount of that pension; and

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- (e) a statement describing how an application may be made to the Board for the review of the Board's decision to approve the valuation under section 144(2), how it will be considered and the Board's powers on making a review decision; and

“withdrawal notice” means a notice issued under section 122(2)(b) (insolvency practitioner's duty to issue notices confirming status of scheme) or section 130(3) (Board's duty where application or notification received under section 129).

[<sup>F5</sup>(1A) A partially guaranteed scheme to which regulation 2A of the Pension Protection Fund (Partially Guaranteed Schemes) (Modification) Regulations 2005 (schemes to which paragraph (1) of regulation 2 does not apply) applies shall not be treated as a partially guaranteed scheme for the purposes of this Schedule.]

(2) Information to be provided to the Board and members by trustees or managers shall be determined in accordance with the table of information to be provided by trustees or managers set out below—

Table of information to be provided by trustees or managers

<i>Description of persons to whom information is to be provided</i>	<i>Description of information to be provided</i>	<i>Period during which information is to be provided</i>
The Board.	In respect of each member of that scheme entitled to a reviewable ill health pension— (a) his name; (b) a description of his position as an employee in relation to the employer in relation to that scheme; (c) the annual amount of his reviewable ill health pension; and (d) the date on which the award of that pension was made. (e) [ <sup>F6</sup> if applicable, the date he left the employment of the employer in relation to that scheme; and (f) a statement containing a brief description of his illness or injury.]	The period of 28 days beginning on the notification date.
[ <sup>F7</sup> The Board.	The number of ill health pensions awarded each year for the previous six years immediately before the assessment date.	The period of 28 days beginning on the notification date.]
The Board.	1. Details of any legal proceedings by or against any of the trustees or managers of the scheme in their capacity as	The period of 28 days beginning on the notification date.

trustees or managers which are pending immediately before, or in existence on, the assessment date.

2. Details of any relevant contract of insurance which is in being on the assessment date.

The Board.	The identity of the maker of any further contributions towards the scheme paid under section 133 (admission of new members, payment of contributions etc), together with the amount of any such contributions.	The period of 14 days beginning on the last day of the month in which the contribution was paid.
The Board.	Details of any significant changes— (a) in the investment of the scheme's assets; or (b) in the level of expenditure incurred by the scheme.	The period of 14 days beginning on the day the change took place.
The Board.	Details of any change in the address or telephone number of the trustees or managers.	Before the expiry of the period of five days beginning on the day the change took place.
The Board.	The identity of those individuals within the trustees' or managers' organisation who will have responsibility for providing information to the Board.	The period of 28 days beginning on the notification date.
The Board.	Any change in the identity of— (a) the individuals who have been notified to the Board as having responsibility for providing information to the Board; and (b) the insolvency practitioner.	The period of 14 days beginning on the day the change took place.
All members.	Notification that there is an assessment period in relation to the scheme, together with a description of the effect this will have on the rights and obligations of members of that scheme.	The period of 28 days beginning on the notification date.

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<p>All members.</p>	<p>An explanation of the provisions of Chapter 3 of Part 2 (pension protection) of the Act in so far as they will operate during the assessment period in relation to—</p> <ul style="list-style-type: none"> <li>(a) benefits payable under the scheme; and</li> <li>(b) contributions towards the scheme; together with an explanation of how, when a withdrawal notice becomes binding, contributions may become payable by or on behalf of the member.</li> </ul>	<p>The period of 28 days beginning on the notification date.</p>
<p>Where the scheme is not a hybrid scheme, a multi-employer scheme or a partially guaranteed scheme, all members.</p>	<p>A copy of the valuation summary.</p>	<p>The period of 28 days beginning on the day on which the trustees or managers receive a copy of the valuation approved under section 144(2).</p>
<p>Where the scheme is a hybrid scheme, all members other than those who receive only money purchase benefits.</p>	<p>A copy of the valuation summary</p>	<p>The period of 28 days beginning on the day on which the trustees or managers receive a copy of the valuation approved under section 144(2).</p>
<p>Where the scheme is a multi-employer scheme, all members who are in the section of the scheme to which the valuation relates.</p>	<p>A copy of the valuation summary.</p>	<p>The period of 28 days beginning on the day on which the trustees or managers receive a copy of the valuation, or further valuation, approved under section 144(2).</p>
<p>Where the scheme is a partially guaranteed scheme, all members who are in the unsecured part of the scheme.</p>	<p>A copy of the valuation summary.</p>	<p>The period of 28 days beginning on the day on which the trustees or managers receive a copy of the valuation, or further valuation, approved under section 144(2).</p>
<p>[<sup>F8</sup>Where the scheme is not a hybrid scheme, a multi-employer scheme or a partially guaranteed scheme, all members.</p>	<p>A copy of the determination summary.</p>	<p>The period of 28 days beginning on the day on which the trustees or managers receive a copy of the determination.</p>
<p>Where the scheme is a hybrid scheme, all members other than those who receive only money purchase benefits.</p>	<p>A copy of the determination summary.</p>	<p>The period of 28 days beginning on the day on which the trustees or managers receive a copy of the determination.</p>

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Where the scheme is a multi-employer scheme, all members who are in the section of the scheme to which the determination relates.	A copy of the determination summary.	The period of 28 days beginning on the day on which the trustees or managers receive a copy of the determination.
Where the scheme is a partially guaranteed scheme, all members who are in the unsecured part of the scheme.	A copy of the determination summary.	The period of 28 days beginning on the day on which the trustees or managers receive a copy of the determination.]
Where the trustees or managers of a scheme make an application in respect of the scheme in accordance with section 151 (application for reconsideration), all members.	Notification of the application under section 151.	The period of 28 days beginning on the day the trustees or managers make that application.

#### Textual Amendments

- F1** Words in Sch. 2 para. 1(1) omitted (19.8.2005) by virtue of [Occupational Pension Schemes \(Miscellaneous Amendments\) Regulations 2005 \(S.I. 2005/2113\)](#), regs. 1(1), **12(3)**
- F2** Words in Sch. 2 para. 1(1) inserted (24.1.2013) by [The Pension Protection Fund \(Miscellaneous Amendments\) \(No. 2\) Regulations 2012 \(S.I. 2012/3083\)](#), regs. 1(2)(b), **6(2)(a)**, 9(1)(f)(2) (with reg. 10)
- F3** Words in Sch. 2 para. 1(1) substituted (6.4.2006) by [Pension Protection Fund \(Provision of Information\) \(Amendment\) Regulations 2006 \(S.I. 2006/595\)](#), regs. 1(1), **4(2)**
- F4** Words in Sch. 2 para. 1(1) substituted (24.1.2013) by [The Pension Protection Fund \(Miscellaneous Amendments\) \(No. 2\) Regulations 2012 \(S.I. 2012/3083\)](#), regs. 1(2)(b), **6(2)(b)**, 9(1)(f)(2) (with reg. 10)
- F5** Sch. 2 para. 1A inserted (8.3.2010) by [The Pension Protection Fund and Occupational Pension Schemes \(Miscellaneous Amendments\) Regulations 2010 \(S.I. 2010/196\)](#), regs. 1, **5**
- F6** Words in Sch. 2 para. 1(2) added (6.4.2006) by [Pension Protection Fund \(Provision of Information\) \(Amendment\) Regulations 2006 \(S.I. 2006/595\)](#), regs. 1(1), **4(3)**
- F7** Words in Sch. 2 para. 1(2) inserted (6.4.2006) by [Pension Protection Fund \(Provision of Information\) \(Amendment\) Regulations 2006 \(S.I. 2006/595\)](#), regs. 1(1), **4(4)**
- F8** Words in Sch. 2 para. 1(2) inserted (24.1.2013) by [The Pension Protection Fund \(Miscellaneous Amendments\) \(No. 2\) Regulations 2012 \(S.I. 2012/3083\)](#), regs. 1(2)(b), **6(3)**, 9(1)(f)(2) (with reg. 10)

#### Marginal Citations

- M1** See section 160 of the Pensions Act 2004 as modified by regulation 10 of the Pension Protection Fund (Partially Guaranteed Schemes) (Modification) Regulations 2005.

**Changes to legislation:**

There are currently no known outstanding effects for the The Pension Protection Fund (Provision of Information) Regulations 2005, SCHEDULE 2.