
STATUTORY INSTRUMENTS

2006 No. 349

**The Occupational and Personal Pension
Schemes (Consultation by Employers and
Miscellaneous Amendment) Regulations 2006**

Restriction on decision-making pending completion of consultation

Listed changes: exclusions

- 10.**—(1) For the purposes of regulations 8 and 9, no account is to be taken of any change which—
- (a) is made for the purposes of complying with a statutory provision,
 - [^{F1}(aa) is made for the purposes of implementing an adjustment measure within regulation 10 of the Occupational Pension Scheme (Charges and Governance) Regulations 2015,]
 - [^{F2}(ab) is made for either or both of the purposes referred to in regulation 7C(1) (modification of schemes: revaluation of guaranteed minimum pensions) of the Occupational Pension Schemes (Modification of Schemes) Regulations 2006,]
 - [^{F3}(ac) which is or results in an adjustment of the rate or amount of benefits provided under a collective money purchase scheme, provided that such adjustment is made in accordance with—
 - (i) the most recent actuarial valuation or (as the case may be) any multi-annual reduction in effect, and
 - (ii) the scheme rules,
 - (ad) which is made in respect of a collective money purchase scheme that is pursuing continuity option 1 in accordance with—
 - (i) Schedule 6 to the Occupational Pension Schemes (Collective Money Purchase Schemes) Regulations 2022, or
 - (ii) scheme rules made in accordance with that Schedule,]
 - (b) is made for the purposes of complying with a determination made by the Regulator, or
 - (c) has no lasting effect on a person's rights to be admitted to a scheme or on the benefits that may be provided under it.
- (2) No change which is—
- (a) a regulated modification within the meaning of the subsisting rights provisions, and
 - (b) subject to the requirements of those provisions,
- falls within regulation 8.
- (3) “Statutory provision” means a provision comprised in—
- (a) an Act of Parliament or subordinate legislation made under such an Act, whenever passed or made,
 - (b) an Act of the Scottish Parliament or subordinate legislation made under such an Act, whenever passed or made.

(4) “Subsisting rights provisions” has the meaning given by section 67 of the Pensions Act 1995^{M1} (the subsisting rights provisions).

[^{F4}(5) In this regulation—

“collective money purchase scheme” means a scheme or a section of a scheme which is a collective money purchase scheme for the purposes of Part 1 of the Pension Schemes Act 2021;

“multi-annual reduction” has the meaning given by regulation 2 of the Occupational Pension Schemes (Collective Money Purchase Schemes) Regulations 2022.]

Textual Amendments

- F1** Reg. 10(1)(aa) inserted (6.4.2015) by [The Occupational Pension Schemes \(Charges and Governance\) Regulations 2015 \(S.I. 2015/879\)](#), regs. 1(2), **13(1)**
- F2** Reg. 10(1)(ab) inserted (6.4.2016) by [The Occupational and Personal Pension Schemes \(Modification of Schemes - Miscellaneous Amendments\) Regulations 2016 \(S.I. 2016/231\)](#), regs. 1(2), **3**
- F3** Reg. 10(1)(ac)(ad) inserted (1.8.2022) by [The Occupational Pension Schemes \(Collective Money Purchase Schemes\) \(Modifications and Consequential and Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/337\)](#), regs. 1(3), **11(2)(a)**
- F4** Reg. 10(5) inserted (1.8.2022) by [The Occupational Pension Schemes \(Collective Money Purchase Schemes\) \(Modifications and Consequential and Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/337\)](#), regs. 1(3), **11(2)(b)**
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Marginal Citations

- M1** 1995 c. 26. Section 67 is substituted by section 262 of the Pensions Act 2004.

Changes to legislation:

There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006, Section 10.