
STATUTORY INSTRUMENTS

2009 No. 615

**The Occupational, Personal and Stakeholder Pensions
(Miscellaneous Amendments) Regulations 2009**

Amendment of the Occupational Pension Schemes (Revaluation) Regulations 1991

3.—(1) The Occupational Pension Schemes (Revaluation) Regulations 1991⁽¹⁾ are amended in accordance with this regulation.

(2) After regulation 13 (lump sum in respect of service before 6th April 1975), insert—

“Purpose for which trustees may modify the scheme

13A.—(1) This regulation prescribes a purpose for which the trustees of a trust scheme may by resolution modify the scheme under section 68 of the Pensions Act 1995 (power of trustees to modify schemes by resolution).

(2) The purpose is to—

- (a) reduce the rate or amount by which the scheme revalues any benefits⁽²⁾ that accrue after the date of the resolution; or
- (b) change the method for determining that rate or amount in order to make such a reduction.

(3) No modification may be made for the purpose in paragraph (2) without the consent of—

- (a) where there is one employer in relation to the scheme, that employer; or
- (b) where there is more than one employer in relation to the scheme—
 - (i) all those employers; or
 - (ii) a person nominated by all those employers, or in accordance with the scheme rules, to act as their representative.”.

⁽¹⁾ S.I. 1991/168.

⁽²⁾ See sections 83 and 84 of, and paragraphs 1 and 2 of Schedule 3 to, the Pension Schemes Act 1993.