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DRAFT STATUTORY INSTRUMENTS

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**2005 No.**

**The Occupational Pension Schemes (Levies) Regulations 2005**

**PART 3**

**THE INITIAL LEVY**

**The amount of the initial levy**

**10.**—(1) The amount of the initial levy payable in respect of a scheme is calculated by reference to the number of persons appearing to the Board or, if the Board requires the Regulator to discharge its functions under section 181(3)(b) on the Board's behalf, to the Regulator, to fall within paragraphs (3), (4) and (5) on the reference day.

(2) In paragraph (1) “the reference day” means—

- (a) in the case of a scheme that was established on or before 31st March 2005, that day; and
- (b) otherwise, the date on which the scheme becomes a registrable scheme.

(3) For each active member of the scheme, £15 is payable.

(4) For—

- (a) each pensioner member of the scheme;
- (b) each pension credit member who by reason of rights under the scheme attributable (directly or indirectly) to a pension credit is entitled to the present payment of pension; and
- (c) each other person who is entitled to the present payment of pension by reason of rights under the scheme in respect of a deceased member,

£15 is payable.

(5) For—

- (a) each deferred member of the scheme; and
- (b) each pension credit member who is not entitled to present payment of a pension as a result of his pension credit rights,

£5 is payable.

(6) If a person falls within more than one paragraph in this regulation or within more than one sub-paragraph in a paragraph, a separate amount is payable under this regulation in respect of that person as a result of his falling within each of those paragraphs or, as the case may be, sub-paragraphs.

(7) For the purposes of this regulation, a person is not regarded as an active member of a scheme if he is a life member of the scheme; and such a person is not excluded from being a deferred member by reason only of being an active member.