
DRAFT STATUTORY INSTRUMENTS

2021 No.

**The Occupational Pension Schemes (Climate Change
Governance and Reporting) Regulations 2021**

PART 2

Climate Change Governance and Reporting

Climate change reporting and publication requirements

6.—(1) Subject to paragraphs (2) and (3) trustees of a trust scheme must, within seven months of the scheme year end date of any scheme year in which they were required to comply with the requirements in Part 1 of the Schedule to these Regulations—

- (a) produce a report which contains the information specified in Part 2 of the Schedule in respect of—
 - (i) that scheme year; or
 - (ii) where the trustees were subject to the requirements in Part 1 of the Schedule for part of the scheme year, that part of the scheme year; and
- (b) publish the report on a publicly available website, accessible free of charge.

(2) Paragraph (1) does not apply—

- (a) in respect of any scheme year, or part of a scheme year, where the relevant assets of the scheme on the scheme year end date are zero, unless the scheme is an authorised master trust scheme or an authorised collective money purchase scheme; or
- (b) where, in accordance with regulation 4(3)(a) or regulation 5(3)(a), the trustees of a scheme cease to be subject to the requirements in Part 1 of the Schedule.

(3) The report required by paragraph (1)(a) must be signed on behalf of the trustees by—

- (a) the chair; or
- (b) where no chair has been appointed, or the chair has ceased to hold office as chair for any reason and a replacement has not yet been appointed, a person appointed by the trustees to act as chair in the interim period for the purpose of signing the report,

but the trustees are not required to publish the manuscript signature of the person who has signed the report.

(4) For the purposes of this regulation, “chair” means—

- (a) the person appointed as chair of the trustees in accordance with regulation 22 of the Occupational Pension Schemes (Scheme Administration) Regulations 1996 (duty to appoint a chair of the trustees)(1);
- (b) the person appointed as chair of the trustees in accordance with section 221B(7) of the Pensions Act 2004 (statement of strategy)(2);

(1) S.I. 1996/1715. Regulation 22 was inserted by S.I. 2015/879; S.I. 2016/427 is a relevant amending instrument.

(2) 2004 c. 35. Section 221B was inserted by the 2021 Act, section 123(a) and Schedule 10, paragraph 2.

- (c) the person appointed as chair of the trustees by someone other than the trustees, in accordance with the trust deed or scheme rules; or
- (d) in the case of a scheme established under section 67 of the Pensions Act 2008⁽³⁾ (duty to establish a pension scheme), the person appointed as chair of the trustee corporation established under section 75 of that Act (trustee corporation).

⁽³⁾ 2008 c. 30.