

*Status: Point in time view as at 26/01/2009.*

**Changes to legislation:** Welfare Reform and Pensions Act 1999, SCHEDULE 1 is up to date with all changes known to be in force on or before 09 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

## SCHEDULES

### SCHEDULE 1

Section 6.

#### APPLICATION OF 1993 AND 1995 ACTS TO REGISTERED SCHEMES

- 1 (1) The provisions specified in sub-paragraph (2) shall apply as if any pension scheme established under a trust which—
- (a) is not an occupational pension scheme, but
  - (b) is or has been registered under section 2,
- were an occupational pension scheme.
- (2) The provisions are—
- <sup>F1</sup>(a) .....
  - (b) the following provisions of Part I of the 1995 Act—
    - (i) sections 3 to 11<sup>F2</sup>... and 15 (supervision by the Authority) [<sup>F3</sup>except sections 7(5A)(b), 8(1)(a) and (c) and (2), 11(3A) and (3B) and 15(1),];
    - (ii) sections 27 to [<sup>F4</sup>30] (trustees: general);
    - (iii) sections 32 to 36 and 39 (functions of trustees) <sup>F5</sup>...;
    - (iv) section 41 (functions of trustees or managers);
    - [<sup>F6</sup>(v) section 47 (professional advisers);]
    - (vi) section 49 (receipts, payment and records) except subsections (5) and (8) to (13);
    - (vii) section 50 (resolution of disputes);
    - (viii) section 68 (power of trustees to modify scheme by resolution) except subsection (3);
    - <sup>F7</sup>(ix) .....
    - (x) sections 91, 92 and 94 (assignment and forfeiture etc.) except section 91(5)(d);
    - <sup>F8</sup>(xi) .....
    - <sup>F8</sup>(xii) .....
    - <sup>F8</sup>(xiii) .....
    - (xiv) section 117 (overriding requirements); and
    - (xv) sections 124 and 125 (interpretation)[<sup>F9</sup>; and
  - (c) the following provisions of the Pensions Act 2004—
    - (i) section 67 (accessibility of register of prohibited trustees);
    - (ii) Chapters 4 and 5 of Part 2 (fraud compensation and information gathering);
    - (iii) sections 247 to 249 (requirements for knowledge and understanding); and
    - (iv) section 318 (interpretation).]

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- (3) Section 47(9) of the 1995 Act (as applied by sub-paragraph (1)) shall have effect as if the reference to any person who is or has been the employer were a reference to any person who, in pursuance of section 3(5), is or has been required—
- (a) to deduct an employee’s contributions to the scheme from his remuneration; and
  - (b) to pay them to the trustees or managers of the scheme or to a prescribed person.
- (4) Section 68 of the 1995 Act (as so applied) shall have effect as if the purposes specified in subsection (2) included enabling the conditions set out in section 1 to be fulfilled in relation to the scheme.
- (5) Section 124(1) of the 1995 Act<sup>[F10]</sup>, and section 318(1) of the Pensions Act 2004,] (as so applied) shall have effect as if the definition of “member” were omitted.
- [<sup>F11</sup>(6) Chapters 4 and 5 of Part 2 of the Pensions Act 2004 (as applied by sub-paragraph (1)) shall have effect with such modifications as the Secretary of State may prescribe by regulations.]

#### Textual Amendments

- F1** Sch. 1 para. 1(2)(a) repealed (1.4.2005) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 13**; S.I. 2005/695, art. 2(6)
- F2** Word in Sch. 1 para. 1(2)(b)(i) repealed (6.4.2005) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 13**; S.I. 2005/695, art. 2(7), **Sch. 1**
- F3** Words in Sch. 1 para. 1(2)(b)(i) substituted (6.4.2005) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 12 para. 76(2)(a)**; S.I. 2005/275, art. 2(7), **Sch. Pt. 7**
- F4** Word in Sch. 1 para. 1(2)(b)(ii) substituted (9.12.2005) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 12 para. 76(2)(b)**; S.I. 2005/3331, art. 2(2), **Sch. Pt. 2**
- F5** Words in Sch. 1 para. 1(2)(b)(iii) repealed (4.12.2005 for specified purposes, 30.12.2005 in so far as not already in force) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 12 para. 76(2)(c)**, **Sch. 13**; S.I. 2005/3331, art. 2(1)(a)(b), **Sch. Pt. 1**
- F6** Sch. 1 para. 1(2)(b)(v) substituted (9.12.2005) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 12 para. 76(2)(d)**; S.I. 2005/3331, art. 2(2), **Sch. Pt. 2**
- F7** Sch. 1 para. 1(2)(b)(ix) repealed (1.9.2005) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 13**; S.I. 2005/1720, art. 2(16), **Sch. Pt. 3**
- F8** Sch. 1 para. 1(2)(b)(xi)-(xiii) repealed (6.4.2005) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 13**; S.I. 2005/695, art. 2(7), **Sch. 1**
- F9** Sch. 1 para. 1(2)(c) and word inserted (30.6.2005 for specified purposes, 1.9.2005 for specified purposes) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 12 para. 76(3)**; S.I. 2005/1720, art. 2(12)(16), **Sch. Pt. 3**; S.I. 2005/2447, art. 2(4), **Sch. Pt. 1**; S.I. 2005/1720, art. 2(12)(16), **Sch. Pt. 3**; S.I. 2005/2447, art. 2(4), **Sch. Pt. 1**
- F10** Words in Sch. 1 para. 1(5) inserted (6.4.2005) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 12 para. 76(4)**; S.I. 2005/275, art. 2(7), **Sch. Pt. 7**
- F11** Sch. 1 para. 1(6) inserted (12.7.2005 for specified purposes, 1.9.2005 for specified purposes) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 12 para. 76(5)**; S.I. 2005/1720, art. 2(3)(b)

#### Commencement Information

- I1** Sch. 1 para. 1 wholly in force at 8.10.2001; Sch. 1 para. 1 in force for certain purposes at Royal Assent see s. 89(1); Sch. 1 para. 1(1)(2)(4)(5) in force at 1.10.2000 insofar as not already in force by [S.I. 2000/1047](#), art. 2(2)(c), **Sch. Pt. III**; Sch. 1 para. 1(3) in force at 8.10.2001 insofar as not already in force by [S.I. 2000/1047](#), art. 2(2), **Sch. Pt. V**

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F12<sub>2</sub> .....

**Textual Amendments**

**F12** Sch. 1 para. 2 repealed (6.4.2005) by Pensions Act 2004 (c. 35), s. 322(1), Sch. 13; S.I. 2005/695, art. 2(7), Sch. 1

**Commencement Information**

**I2** Sch. 1 para. 2 wholly in force at 1.10.2000; Sch. 1 para. 2 in force for certain purposes at Royal Assent see s. 89(1); Sch. 1 para. 2 in force at 1.10.2000 insofar as not already in force by S.I. 2000/1047, art. 2(2)(c), Sch. Pt. III

F13<sub>3</sub> .....

**Textual Amendments**

**F13** Sch. 1 para. 3 repealed (6.4.2005) by Pensions Act 2004 (c. 35), s. 322(1), Sch. 13; S.I. 2005/695, art. 2(7), Sch. 1

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