

**Changes to legislation:** *The Occupational and Personal Pension Schemes (Levy) Regulations 1997 is up to date with all changes known to be in force on or before 15 May 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) View outstanding changes*

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## EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Occupational and Personal Pension Schemes (Levy) Regulations 1995 (“the previous Regulations”).

Regulation 1 provides for citation, commencement and interpretation.

Regulations 2 to 8 and the Schedule make provision for the payment of levies for the purposes of meeting the cost of the Pensions Ombudsman, the Occupational Pensions Regulatory Authority, the Pensions Compensation Board, the Registrar of Occupational and Personal Pension Schemes and certain grants made to advisory bodies by the Occupational Pensions Regulatory Authority. They also make provision as to the manner in which the amounts of the levies are to be determined, the manner in which the levies are to be paid and the circumstances in which payment of the levies shall be waived.

Regulation 9 makes provision for payment of the levies in the case of multi-employer schemes.

Regulation 10 makes provision to avoid the duplication of payments where a levy is payable under equivalent provisions which have effect in Northern Ireland.

Regulation 11 modifies the provisions of section 75 of the Pensions Act 1995 in the case of occupational pension schemes which are money purchase schemes.

Regulation 12 makes transitional provision for the payment under these Regulations of the amount of the levy for which schemes are liable under the previous Regulations.

Regulation 13 provides for the imposition of financial penalties by the Occupational Pensions Regulatory Authority in respect of any failure to pay a levy under these Regulations.

Regulation 14 revokes the previous Regulations with a saving.

An assessment of the compliance cost to business of the measures arising from the Pensions Act 1995, including these Regulations, has been placed in the libraries of both Houses of Parliament. Copies can be obtained by post from the Department of Social Security, 11th Floor, Adelphi, 1-11 John Adam Street, London WC2N 6HT.

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**Changes and effects yet to be applied to :**

- Sch. Pt.I amended by [S.I. 1999/682 reg.2](#)
- Sch. Pt.I amended by [S.I. 2000/542 reg.3\(1\)](#)
- Sch. Pt.II amended by [S.I. 2000/542 reg.3\(2\)](#)
- Sch. substituted by [S.I. 1998/600 reg.2\(9\)Sch.](#)
- Instrument applied by [S.I. 1997/666 reg.9\(1\)-\(4\)](#)
- reg.1 defn(s). added by [S.I. 2000/2691 reg.7\(2\)\(b\)](#)
- reg.1 defn(s). amended by [S.I. 2000/2691 reg.7\(2\)\(a\)](#)
- reg.1 amended by [S.I. 2000/3198 reg.12](#)
- reg.1(2) (defn. of registrable scheme) rev. in pt. by [S.I. 1998/600 reg.2\(2\)\(a\)](#)
- reg.1(2) (defn. of total membership) substituted by [S.I. 1998/600 reg.2\(2\)\(b\)](#)
- reg.2 amended by [S.I. 2000/542 reg.2](#)
- reg.2(1)(2) amended by [S.I. 1998/600 reg.2\(3\)\(a\)](#)
- reg.2(4) amended by [S.I. 1998/600 reg.2\(3\)\(b\)](#)
- reg.2(4A) added by [S.I. 1998/600 reg.2\(3\)\(c\)](#)
- reg.2(5) amended by [S.I. 1998/600 reg.2\(3\)\(d\)\(i\)](#)
- reg.2(5)(a) revoked by [S.I. 1998/600 reg.2\(3\)\(d\)\(ii\)](#)
- reg.3(2)(a) amended by [S.I. 1998/600 reg.2\(4\)\(a\)](#)
- reg.3(2)(b) amended by [S.I. 1998/600 reg.2\(4\)\(b\)](#)
- reg.4(2) rev. in pt. by [S.I. 1998/600 reg.2\(5\)\(a\)](#)
- reg.4(3) revoked by [S.I. 1998/600 reg.2\(5\)\(b\)](#)
- reg.5(1) replaced (by reg.5(1)(1A)) by [S.I. 1998/600 reg.2\(6\)\(a\)](#)
- reg.5(4)(a) revoked by [S.I. 1998/600 reg.2\(6\)\(b\)](#)
- reg.7(1) rev. in pt. by [S.I. 1998/600 reg.2\(7\)\(a\)](#)
- reg.7(2) revoked by [S.I. 1998/600 reg.2\(7\)\(b\)](#)
- reg.11(c) rev. in pt. by [S.I. 1998/600 reg.2\(8\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- Act by [S.I. 2000/1403 reg.32. Sch.2](#)
- Act by [S.I. 2000/1403 reg.32Sch.2](#)