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STATUTORY INSTRUMENTS

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**2005 No. 3377**

**The Occupational Pension Schemes  
(Scheme Funding) Regulations 2005**

**Failure to make payments**

**12.** The trustees or managers of a scheme are not required to give notice, under section 228(2) of the 2004 Act (requirement to notify Regulator of failure likely to be of material significance), of a failure to make a payment in accordance with the schedule of contributions where they have given the Regulator notice of the failure under—

- (a) section 49(9)(b) of the 1995 Act<sup>M1</sup> (failure to remit deductions from members' earnings),  
or
- (b) section 30(7)(c) of the 2004 Act (failure to pay employer's contributions in accordance with Regulator's order).

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**Marginal Citations**

**M1** [Section 49\(9\)\(b\)](#) of the 1995 Act was inserted by section 10(1) of the Welfare Reform and Pensions Act 1999.

**Changes to legislation:**

There are currently no known outstanding effects for the The Occupational Pension Schemes (Scheme Funding) Regulations 2005, Section 12.