
STATUTORY INSTRUMENTS

2005 No. 441

The Pension Protection Fund (Multi-employer Schemes) (Modification) Regulations 2005

PART 2

SEGREGATED SCHEMES:

SINGLE EMPLOYER SECTIONS

Closed schemes and requirement to wind up schemes with sufficient assets to meet protected liabilities

11.—(1) Section 153 of the Act (closed schemes) shall be modified in its application to a section of a segregated scheme to which regulation 2 applies so that it shall be read as if—

- (a) for the words “a closed scheme” in subsection (2), there were substituted the words “a closed section of a scheme”;
- (b) for the words “a closed scheme” in subsection (5), there were substituted the words “a closed section of a scheme”; and
- (c) after subsection (6), there were inserted the following subsection—

“(6A) Where the trustees or managers of a section of a segregated scheme receive a copy of a determination notice from the Board under subsection (6), they must send a copy of that notice as soon as practicable to the trustees or managers of each section of the scheme (if different) and to all the employers in relation to the scheme.”.

(2) Section 154 of the Act (requirement to wind up schemes with sufficient assets to meet protected liabilities) shall be modified in its application to a section of a segregated scheme to which regulation 2 applies so that it shall be read as if—

- (a) for the words “(scheme rescue not possible but scheme has sufficient assets to meet the protected liabilities)” in paragraph (a) of subsection (2), there were substituted the words “(scheme rescue not possible in relation to a section of a segregated scheme but section has sufficient assets to meet the protected liabilities)”;
- (b) for the words “a scheme is wound up” in subsection (6), there were substituted the words “a section of a segregated scheme is wound up”;
- (c) for the words “winding up of a scheme” in subsection (11), there were substituted the words “winding up of a section of a segregated scheme”; and
- (d) for the words “in relation to a scheme” in subsection (12), there were substituted the words “in relation to a section of a segregated scheme”.

(3) Section 155 of the Act (treatment of closed schemes) shall be modified in its application to a section of a segregated scheme to which regulation 2 applies so that it shall be read as if, for subsection (1), there were substituted the following subsection—

“(1) In this section “closed scheme” means a section of a segregated scheme which is, for the purposes of this Part, an eligible scheme which is authorised under section 153 to continue as a closed section of the scheme.”.

(4) Section 157 of the Act (applications and notifications where closed schemes have insufficient assets) shall be modified in its application to a section of a segregated scheme to which regulation 2 applies so that it shall be read as if, after subsection (4), there were inserted the following subsection—

“(4A) Where the trustees or managers of a section of a segregated scheme receive a notice from the Board under subsection (4), they must send a copy of that notice as soon as practicable to the trustees or managers of each section of the scheme (if different) and to all the employers in relation to the scheme.”.