
STATUTORY INSTRUMENTS

2005 No. 670

The Pension Protection Fund (Compensation) Regulations 2005

PART 4

Admissible Rules

Special provision in relation to pensions in payment following early retirement

10.—(1) Where immediately before the assessment date—

- (a) a person is entitled to present payment of a pension under the scheme rules;
- (b) the scheme rules provide that the award of that pension is dependent on—
 - (i) that person having attained early retirement age; and
 - (ii) the consent of—

- (aa) the trustees or managers; or

- (bb) the employer; [^{F1}and]

- (c) the effect of disregarding rules within paragraphs (a) and (b) of paragraph 35(2) of Schedule 7 to the Act (scheme rules, admissible rules etc) is that the person is not entitled to compensation under paragraph 3(2) by reason of the pension or a part of the pension, paragraphs (2) and (3) shall apply.

(2) Where in the opinion of the trustees or managers—

- (a) the trustees or managers; or
- (b) the employer,

would have consented to the award of a pension to that person under the admissible rules of the scheme prior to the assessment date, they must notify the Board in that respect.

(3) Where the Board receives a notice under paragraph (2) that person shall be treated, for the purposes of the pension compensation provisions, as entitled, immediately before the assessment date, to present payment of a pension under the admissible rules.

Textual Amendments

- F1** Word in reg. 10(1)(b)(ii)(bb) inserted (30.4.2013) by [The Pension Protection Fund, Occupational and Personal Pension Schemes \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/627\)](#), regs. 1(1), 3(7)

Changes to legislation:

There are currently no known outstanding effects for the The Pension Protection Fund (Compensation) Regulations 2005, Section 10.