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STATUTORY INSTRUMENTS

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**2005 No. 706**

**The Occupational Pension Schemes  
(Winding up etc.) Regulations 2005**

*Winding up*

**Commencement of winding up**

**12.**—(1) Regulation 12 of the Occupational Pension Schemes (Winding Up Notices and Reports etc.) Regulations 2002 <sup>M1</sup> (time when winding up taken to begin) does not apply in any case where in accordance with section 124(3A) to (3E) of the 1995 Act a scheme begins to wind up on or after 6th April 2005.

(2) Accordingly, in such a case—

(a) that section applies for the purpose of determining the time when that scheme winds up for the purposes of—

(i) sections 73 to 74 of the 1995 Act;

(ii) these Regulations; and

(iii) the Occupational Pension Schemes (Winding Up) Regulations 1996; and

(b) regulation 2 of those Regulations does not apply.

(3) If immediately before 6th April 2005 a scheme was regarded as having begun to be wound up for any purpose by virtue of regulation 2 of the Occupational Pension Schemes (Winding Up) Regulations 1996, paragraphs (1) and (2) do not affect the time when it is to be taken as having begun to be wound up for that purpose.

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**Marginal Citations**

**M1** [S.I. 2002/459](#).

**Changes to legislation:**

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