

## **EXPLANATORY MEMORANDUM TO**

### **THE REGISTER OF OCCUPATIONAL AND PERSONAL PENSION SCHEMES (AMENDMENT) REGULATIONS 2007**

**2007 No.1625**

1. This Explanatory Memorandum has been prepared by the Department for Work and Pensions and is laid before Parliament by Command of Her Majesty.
2. **Description**
  - 2.1 The Register of Occupational and Personal Pension Schemes (Provision of Information) (Amendment) Regulations 2007 amends the original regulations to include the provision of information to the Office for National Statistics.
  - 2.2 The purpose of this amendment is to establish an information gateway between the Pensions Regulator and the Office for National Statistics.
3. **Matters of special interest to the Joint Committee on Statutory Instruments.**
  - 3.1 None.
4. **Legislative Background**
  - 4.1 Sections 61(1) and 61(2)(b) and 61(3) of the Act enable regulations to be made for the disclosure of information recorded in the Register of Occupational Pensions and Personal Pensions Schemes, and to modify the provision on the disclosure of information . These regulations are being made because the Office for National Statistics do not currently have an information gateway with the Pension Regulator. They require information from the Pensions Regulator for the purpose of conducting the annual Occupational Pension Schemes Survey, and producing other pension statistics.
5. **Extent**
  - 5.1 The regulations extend to Great Britain. Corresponding provisions are being made for Northern Ireland.

## **6. European Convention on Human Rights**

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

7.1 The ONS require the release of information from the Pensions Regulator's Register of Pension Schemes for use as a sample for the annual Occupational Pension Schemes Survey. There is no provision in the Pensions Act 2004 which enables TPR to pass information direct to the ONS. The regulations would establish a direct legal gateway between the Regulator and ONS and facilitate the conduct of the Occupational Pensions Scheme Survey and permit the use of the data for the purposes of pensions statistics. The Pension Regulator's consent would be required for onward disclosure of any restricted information under s82 of the Pensions Act 2004. But this would not apply to any disclosure in the form of a summary or collection of information framed so that information relating to any particular person could not be ascertained from it.

7.2 In accordance with section 317 of the Act the Secretary of State consulted the Pensions Regulator and the Office for National Statistics, and the consultation document was placed on the Department's website.

## **8. Impact**

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2 There is no impact on the public sector

## **9. Contact**

Ian Garland at the Pensions Protection and Stewardship Division  
Tel. 020 7712 2115 or E-mail: [Ian.Garland@dwp.gsi.gov.uk](mailto:Ian.Garland@dwp.gsi.gov.uk) can answer any queries regarding this instrument.