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STATUTORY INSTRUMENTS

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**2009 No. 615**

**The Occupational, Personal and Stakeholder Pensions  
(Miscellaneous Amendments) Regulations 2009**

**Amendment of the Occupational Pension Schemes (Revaluation) Regulations 1991**

**3.**—(1) The Occupational Pension Schemes (Revaluation) Regulations 1991<sup>(1)</sup> are amended in accordance with this regulation.

(2) After regulation 13 (lump sum in respect of service before 6th April 1975), insert—

**“Purpose for which trustees may modify the scheme**

**13A.**—(1) This regulation prescribes a purpose for which the trustees of a trust scheme may by resolution modify the scheme under section 68 of the Pensions Act 1995 (power of trustees to modify schemes by resolution).

(2) The purpose is to—

- (a) reduce the rate or amount by which the scheme revalues any benefits<sup>(2)</sup> that accrue after the date of the resolution; or
- (b) change the method for determining that rate or amount in order to make such a reduction.

(3) No modification may be made for the purpose in paragraph (2) without the consent of—

- (a) where there is one employer in relation to the scheme, that employer; or
- (b) where there is more than one employer in relation to the scheme—
  - (i) all those employers; or
  - (ii) a person nominated by all those employers, or in accordance with the scheme rules, to act as their representative.”.

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<sup>(1)</sup> S.I. 1991/168.

<sup>(2)</sup> See sections 83 and 84 of, and paragraphs 1 and 2 of Schedule 3 to, the Pension Schemes Act 1993.