

SCHEDULE

PART 11

Amendments to the Employment Rights Act 1996 and the Pension Schemes Act 1993

Amendments to the Pension Schemes Act 1993

254.—(1) The Pension Schemes Act 1993(1) is amended as follows—

(2) In section 123(2)—

(a) for subsection (1)(d) substitute—

“(d) subsection (2A) or (2ZA) is satisfied.”;

(b) after subsection (2) insert—

“(2ZA) This subsection is satisfied in the case of an employer if—

(a) the employer is a legal person,

(b) a request has been made for the first opening of collective proceedings—

(i) based on the insolvency of the employer, as provided for under the law of any part of the United Kingdom, and

(ii) involving the partial or total divestment of the employer’s assets and the appointment of a liquidator or a person performing a similar task, and

(c) any of the following has decided to open the proceedings—

(i) a court,

(ii) a meeting of creditors, or

(iii) the creditors by a decision procedure.”;

(c) in subsection (2B) for “subsection (2A)” substitute “this section”.

(1) 1993 c. 48.

(2) Section 123 was amended by S.I. 2017/1205.