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STATUTORY INSTRUMENTS

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**2021 No. 839**

**The Occupational Pension Schemes (Climate Change  
Governance and Reporting) Regulations 2021**

**PART 3**

**Compliance**

**Compliance notices**

7.—(1) The Authority<sup>(1)</sup> may issue a compliance notice to any person if the Authority are of the opinion that the person is not complying with, or has not complied with any provision under Part 2 of, or the Schedule to, these Regulations.

(2) A compliance notice is a notice directing the person to whom it is issued to take, or refrain from taking, the steps specified in the notice.

(3) The steps mentioned in paragraph (2) may be any steps reasonably necessary to ensure that any non-compliance with any provision under Part 2 of, or the Schedule to, these Regulations is remedied and, where appropriate, not repeated.

(4) A compliance notice may, in particular—

- (a) state the period within which any step must be taken or must cease to be taken;
- (b) require the person to provide within a specified period information relating to the non-compliance;
- (c) require the person to inform the Authority, within a specified period, how the person has complied with, or is complying with, the notice;
- (d) give the person a choice between different steps that may be taken to ensure that the non-compliance is remedied and, where appropriate, not repeated.

(5) A direction in a compliance notice may be expressed to be conditional on compliance by a third party with a specified direction contained in a third party compliance notice under regulation 8.

(6) A compliance notice must state—

- (a) which provision of Part 2 of, or the Schedule to, these Regulations was not, or is not, being complied with in the Authority's opinion;
- (b) the evidence on which that opinion is based; and
- (c) that if the Authority are of the opinion that the person has failed to comply with the requirements of the notice, the Authority may issue a penalty notice under regulation 9(1)(a)(i) of these Regulations.

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<sup>(1)</sup> See section 124(1) of the 1995 Act for the meaning of “the Authority”.