

## SCHEDULES

### SCHEDULE 3

#### AMENDMENTS CONSEQUENTIAL ON PART I

##### *The Pension Schemes Act 1993 (c. 48)*

- 22 The Pension Schemes Act 1993 is amended as follows.
- 23 In section 6 (registration)—
- (a) after subsection (5) there is inserted—
- “(5A) The regulations may make provision for information obtained by or furnished to the Registrar under or for the purposes of this Act to be disclosed to the Regulatory Authority or the Pensions Compensation Board”, and
- (b) in subsection (7), for “(5)” there is substituted “(5A)”.
- 24 Sections 77 to 80 (assignment, forfeiture etc. of short service benefit) are repealed.
- 25 Sections 102 to 108 (annual increase in pensions in payment) are repealed.
- 26 Section 112 (restriction on investment in employer-related assets) is repealed.
- 27 Section 114 (documents for members etc.) is repealed.
- 28 Section 116 (regulations as to auditors) is repealed.
- 29 Section 118 (equal access) is repealed.
- 30 Sections 119 to 122 (independent trustees) are repealed.
- 31 In section 129 (overriding requirements)—
- (a) in subsection (1), “Chapter I of Part V”, “sections 119 to 122”, “under Chapter I of Part V or” and “or sections 119 to 122” are omitted,
- (b) in subsection (2), for the words from “Chapter III” to “section 108)” there is substituted “and Chapter III of that Part”, and
- (c) subsection (3)(a) is omitted.
- 32 In section 132 (conformity of schemes with requirements), “the equal access requirements” is omitted.
- 33 In section 133(1) (advice of the Board), “the equal access requirements” is omitted.
- 34 In section 134 (determination of questions)—
- (a) in subsection (3), “the equal access requirements”, and
- (b) in subsection (4), “or the equal access requirements” and “or , as the case may be, section 118(1)”, are omitted.
- 35 In section 136(2)(e)(iv) (applications to modify schemes), “or the equal access requirements” is omitted.

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*Status: This is the original version (as it was originally enacted).*

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- 36 In section 139(2) (functions of the Board), “the equal access requirements” is omitted.
- 37 In section 140(4) (effect of orders), paragraph (c) and the “and” immediately preceding it are omitted.
- 38 Section 144 (deficiencies in assets on winding up) is repealed.
- 39 In section 153 (power to modify Act)—
- (a) in subsection (1), the words from “and Chapter I” to “section 108” are omitted,
  - (b) subsections (3) and (4) are omitted,
  - (c) in subsection (5), “Chapter I of Part VII” is omitted, at the end of paragraph (b) there is inserted “or”, and paragraph (d) and the preceding “or” are omitted, and
  - (d) subsections (6) and (7) are omitted.
- 40 In section 154(1) (application of provisions to personal pension schemes), after “provision of this Act” there is inserted “or of sections 22 to 26 and 40 of the Pensions Act 1995”.
- 41 In section 159 (inalienability of certain pensions), after subsection (4) there is inserted—
- “(4A) Where a person—
- (a) is entitled or prospectively entitled as is mentioned in subsection (1), or
  - (b) is entitled to such rights or to such a payment as is mentioned in subsection (4),
- no order shall be made by any court the effect of which would be that he would be restrained from receiving anything the assignment of which is or would be made void by either of those subsections.
- (4B) Subsection (4A) does not prevent the making of an attachment of earnings order under the Attachment of Earnings Act 1971.”
- 42 In section 170 (determination of questions by Secretary of State), subsections (5) and (6) are omitted.
- 43 In section 178 (meaning of “trustee” and “manager”) in paragraph (a), after “Administration Act 1992” there is inserted “or of sections 22 to 26 of the Pensions Act 1995”, and the “or” after “Social Security Acts 1975 to 1991” is omitted.
- 44 In section 181 (general interpretation)—
- (a) in subsection (1)—
    - (i) the definition of “equal access requirements” is omitted, and
    - (ii) after the definition of “regulations” there is inserted—
 

““the Regulatory Authority” means the Occupational Pensions Regulatory Authority;”, and
  - (b) in subsection (2), for the words from “160” to “requirements” there is substituted “and 160”.
- 45 In section 183 (sub-delegation), in subsection (3)—
- (a) for “97(1), 104(8) and 144(5)” there is substituted “and 97(1)”,
  - (b) the words from “or, in the case of” to “determined” are omitted, and

(c) the words following paragraph (b) are omitted.

46 In section 185(1) (consultation about regulations), “I or” is omitted.

47 In Schedule 7 (re-enactment or amendment of certain provisions not in force), paragraphs 1 and 3 are omitted.