

The Register of Occupational and Personal Pension Schemes (Provision of Information) Regulations 2007

Consultation on Draft Regulations.

January 2007

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Foreword

Preface

We are seeking views on the enclosed draft of *The Register of Occupational and Personal Pension Schemes (Provision of Information) Regulations 2007*. The intention is that the regulations will come into force in June 2007.

The consultation is primarily aimed at the Office for National Statistics and the Pensions Regulator, but we would be interested in views from any source.

This document is available on the Department's website at: <http://www.dwp.gov.uk/consultations/2007/index.asp>

How to respond

The consultation exercise will run from 22 January 2006 to 17 February 2007. Any replies received after that date may not be taken into account. Please send your response by **17 February 2007** to:

Ian Garland
Department for Work and Pensions
The Adelphi (3rd Floor)
1-11 John Adam Street
London
WC2N 6HT
Tel: 020 7712 2115
e-mail: adelphi.registerinformation@dwp.gsi.gov.uk

Consultation arrangements

Because of the highly specialised nature of this consultation, Ministers have decided that it is not appropriate to publish it under the provisions of the Cabinet Office Code of Practice on consultation. It does, however, apply best practice from the Code.

A list of those being consulted is attached at Annex A. If you have any suggestions of others who may wish to be involved in this process please contact us.

It would be very helpful when responding to indicate whether you are responding as an individual or representing the views of an organisation. If responding on

behalf of a larger organisation please make it clear whom the organisation represents and, where applicable, how the views of members were assembled. According to the requirements of the Freedom of Information Act 2000, all information contained in the response, including personal information may be subject to publication or disclosure. By providing personal information for the purposes of the public consultation exercise, it is understood that a Respondent consents to its disclosure and publication. If this is not the case, the Respondent should limit any personal information which is provided, or remove it completely. If a Respondent requests that the information given in response to the consultation be kept confidential, this will only be possible if it is consistent with Freedom of Information Act obligations and general law on this issue. The contact point if you want to discuss this is:

Charles Cushing
Freedom of Information
Department for Work and Pensions
2nd Floor
Adelphi
1-11 John Adam Street
London
WC2N 6HT

More information about the Freedom of Information Act can be found on the website of the Department for Constitutional Affairs:
<http://www.dca.gov.uk/foi/guidance/exguide/index.htm>.

Feedback

A summary of responses will be published following the consultation. The Government will aim to publish this summary within three months of the consultation closing. The summary of responses will be available on the Department's website: <http://www.dwp.gov.uk/consultations/2007/index.asp>. If you have any comments, suggestions or complaints about the way in which this consultation exercise has been conducted please contact the Departmental Consultation Co-ordinator:

Roger Pugh
Department for Work and Pensions Consultation Co-ordinator
2nd Floor, Britannia House
2 Ferensway
HULL
HU2 8NF
Telephone: 01482 609571
Fax: 01482 609658
e-mail: roger.pugh@dwp.gsi.gov.uk

Commentary on the draft regulations

The following summary explains the purpose of each of the provisions:

Regulation 1 contains the citation and commencement arrangements.

Regulation 2 (1) enables the Pensions Regulator to provide information recorded in the Pension Regulator's register of schemes to the Office for National Statistics. Each year the Office for National Statistics undertakes the Occupational Pension Scheme Survey. The information provided by the Pensions Regulator will enable the Office for National Statistics to prepare a sample for the survey. Participation in the survey is voluntary and the information collected informs the development of pensions policy and build confidence in private pensions.

Regulation 2 (2) modifies the effect of section 82 of the Pensions Act 2004 so that the information disclosed by the Pensions Regulator to the Office for National Statistics can include restricted information.

Regulatory impact assessment

The Regulations do not impose extra costs to business, charities or the voluntary sector, and they are not, therefore, accompanied by a regulatory impact assessment.

Annex A

List of those consulted:

HM Treasury

Office for National Statistics

The Pensions Regulator

 STATUTORY INSTRUMENTS

2007 No. [1]**PENSIONS**
**The Register of Occupational and Personal Pension Schemes
(Provision of Information) Regulations 2007**

Made - - - -

Laid before Parliament

Coming into force - -

The Secretary of State for Work and Pensions makes these Regulations in exercise of the powers conferred by sections 61(1) and (3) and 318(1) of the Pensions Act 2004(1).

(In accordance with section 317(1) of the Pensions Act 2004 he has consulted with such persons as he considers appropriate before making these Regulations.)

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as The Register of Occupational and Personal Pension Schemes (Provision of Information) Regulations 2007 and shall come into force on xx May 2007.

(2) In these Regulations—

“the Act” means the Pensions Act 2004;

“Occupational Pension Scheme Survey” means the annual survey of occupational pensions conducted by the Office for National Statistics(2).

Provision of information held in the register to the Office for National Statistics

2.—(1) The Regulator shall provide the information specified in section 61(1)(a) of the Act (the register: provision of information) on request to the Office for National Statistics(3) for purposes that relate to an Occupational Pension Scheme Survey.

(2) Where information provided under paragraph (1) includes restricted information, section 82 of the Act (restricted information) is modified as if it did not apply to the provision of this information.

(1) 2004 c.35. Section 318(1) is cited for the meaning there given to “prescribed” and “regulations”.

(2) The most recent such survey is available at www.statistics.gov.uk.

(3) The Office for National Statistics can be contacted at Customer Contact Centre Room 1.015 Office for National Statistics Cardiff Road Newport NP10 8XG.

Signed by authority of the Secretary of State for Work and Pensions.

Date Minister of State,
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe that information contained in the register of occupational pension schemes and personal pension schemes, compiled and maintained by the Pensions Regulator under section 59 of the Pensions Act 2004 (register of occupational and personal pension schemes) (“the Act) shall be provided on request to the Office for National Statistics for the purposes of the annual Occupational Pension Scheme Surveys.

It also prescribes that section 82 of the Act (restricted information) is modified so that it does not apply to such a disclosure of information.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business, charities or voluntary bodies.