

2022 No. 259

PENSIONS

**The Occupational Pension Schemes (Fraud Compensation Levy)
(Amendment) Regulations 2022**

<i>Made</i>	- - - -	<i>8th March 2022</i>
<i>Laid before Parliament</i>		<i>10th March 2022</i>
<i>Coming into force</i>	- -	<i>1st April 2022</i>

The Secretary of State for Work and Pensions makes the following Regulations, in exercise of the powers conferred by sections 189(4) and 315(2) of the Pensions Act 2004^(a) and sections 38(2) and 42(2)(b) of the Pension Schemes Act 2017^(b).

In accordance with section 317(1) of the Pensions Act 2004, the Secretary of State has consulted such persons as the Secretary of State considers appropriate.

Citation and commencement

1. These Regulations may be cited as the Occupational Pension Schemes (Fraud Compensation Levy) (Amendment) Regulations 2022 and come into force on 1st April 2022.

Extent

2. The Regulations extend to England and Wales and Scotland.

Amendment of the Occupational Pension Schemes (Fraud Compensation Levy) Regulations 2006

3. In regulation 3(3) of the Occupational Pension Schemes (Fraud Compensation Levy) Regulations 2006 (the fraud compensation levy)^(c), for sub-paragraph (b) substitute—

“(b) not exceed—

- (i) in the case of a scheme which is authorised by the Regulator under section 5 of the Pension Schemes Act 2017 (decision on application), 65 pence per member, and
- (ii) in any other case, £1.80 per member.”

(a) 2004 c. 35. See section 318(1) for the definitions of “prescribed” and “regulations”.
(b) 2017 c. 17.
(c) S.I. 2006/558 is amended by S.I. 2011/672.

Amendment of the Occupational Pension Schemes (Master Trusts) Regulations 2018

4. In regulation 23 of the Occupational Pension Schemes (Master Trusts) Regulations 2018 (fraud compensation)(a), omit paragraph (2)(c).

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

Guy Opperman
Parliamentary Under Secretary of State
Department

8th March 2022

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to the Occupational Pension Schemes (Fraud Compensation Levy) Regulations 2006 (S.I. 2006/558) and the Occupational Pension Schemes (Master Trusts) Regulations 2018 (S.I. 2018/1030).

The fraud compensation levy is paid by occupational pension schemes and is used to fund the Fraud Compensation Fund, which makes payments to certain schemes that have lost money as a consequence of fraud.

Regulation 3 amends the Occupational Pension Schemes (Fraud Compensation Levy) Regulations 2006 to set out the maximum fraud compensation levy that may be raised in any one financial year. It sets out a maximum fraud compensation levy of 65 pence per member for Master Trust schemes and £1.80 per member for all other occupational pension schemes.

Regulation 4 revokes regulation 23(2)(c) of the Occupational Pension Schemes (Master Trusts) Regulations 2018.

An impact assessment has not been published for these regulations as it amends an existing statutory regime and the associated administrative costs are negligible.

(a) S.I. 2018/1030.