

PREMIER PENSIONS MANAGEMENT

LEGISLATION UPDATE - 10/05

The Pensions Regulator

1. While the Pensions Regulator (TPR) claims to act as a reference, in practice we have found that the TPR's clearance teams have a tendency to seek to better any deal which may be agreed between a Company and Trustees.
2. In one case the TPR caseworker threatened to use powers to appoint an Independent Trustee if the Trustees did not re-negotiate a better deal with the Company.
3. TPR's need to work through the Trustees when negotiating can be confusing and unnecessarily combative.
4. At the end of October TPR had received 145 clearance applications of which 20 were withdrawn and 60 granted. Average time to consider applications is 4 weeks.
5. In June there were 34 applications for clearance with 2 withdrawn. In October these were 10 with 4 withdrawn.
6. Undoubtedly companies are beginning to analyse the guidance and the sanctions in more detail and to ask whether proof of clearance is a price worth paying.

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