

COMPENSATION SOURCEBOOK (OCCUPATIONAL PENSION SCHEME TRUSTEES) INSTRUMENT 2011

Powers exercised

- A. The Financial Services Authority makes this instrument in the exercise of the following powers and related provisions in the Financial Services and Markets Act 2000 (“the Act”):
- (1) section 138 (General rule-making power);
 - (2) section 156 (General supplementary powers);
 - (3) section 213 (The compensation scheme); and
 - (4) section 214 (General).
- B. The rule-making powers listed above are specified for the purpose of section 153(2) (Rule-making instruments) of the Act.

Commencement

- C. This instrument comes into force on 1 October 2011.

Amendments to the Handbook

- D. The Compensation sourcebook (COMP) is amended in accordance with the Annex to this instrument.

Citation

- E. This instrument may be cited as the Compensation Sourcebook (Occupational Pension Scheme Trustees) Instrument 2011.

By order of the Board
22 September 2011

Annex

Amendments to the Compensation sourcebook (COMP)

In this Annex, underlining indicates new text and striking through indicates deleted text.

4.2.2 R Table COMP 4.2.2R Persons not eligible to claim unless COMP 4.3 applies (see COMP 4.2.1R)

This table belongs to COMP 4.2.1R

...			
(9)	<i>Bodies corporate</i> in the same group as the <i>relevant person in default</i> unless that <i>body corporate</i> is:		
	(i) (a)	a trustee that falls within COMP 4.2.2R(1) or (4) <u>of:</u>	
		(i)	<u>a stakeholder pension scheme (which is not an occupational pension scheme) or a personal pension scheme (but in each case if the trustee is a firm it will only be an eligible claimant if its claim arises out of a regulated activity for which it does not have a permission);</u>
		(ii)	<u>(if the claim is with respect to a long-term insurance contract) a small self-administered scheme or an occupational pension scheme; or</u>
		(iii)	<u>(if the claim is not with respect to a long-term insurance contract) a small self-administered scheme or an occupational pension scheme of an employer which is not a large company, large partnership or large mutual association; or</u>
	(ii) (b)	...	
...			

...

TP1.1 Transitional Provisions Table

COMP TP 1.1 Transitional Provisions Table

(1)	(2)	(3)	(4)	(5)	(6)
	Material to which the transitional provision applies		Transitional Provision	Transitional provision: dates in force	Handbook Provisions: coming into force
...					
<u>27</u>	<u>COMP 4.2.2R(9)</u>	<u>R</u>	<u>The changes referred to in (2), made by the Compensation Sourcebook (Occupational Pension Scheme Trustees) Instrument 2011 do not apply in relation to a <i>claim against a relevant person</i> that was <i>in default</i> before <u>1 October 2011</u>.</u>	<u>From 1 October 2011 indefinitely</u>	<u>From 1 October 2011</u>