Draft Order laid before Parliament under section 316(2)(f) of the Pensions Act 2004, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2009 No.

PENSIONS

The Occupational Pension Schemes (Levy Ceiling) Order 2009

Made - - - -

Coming into force in accordance with article 1(2)

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by sections 178(1) and 315(2) and (5) of the Pensions Act 2004(**1**).

In accordance with section 178(5) of that Act, the Secretary of State has reviewed the general level of earnings obtaining in Great Britain during the period of 12 months ending with 31st July 2008(**2**). It appears to the Secretary of State that the general level of earnings has increased by 3.6 per cent during that period(**3**).

A draft of this Order has been laid before Parliament in accordance with section 316(2)(f) of that Act and approved by a resolution of each House of Parliament.

Citation and commencement

1.—(1) This Order may be cited as the Occupational Pension Schemes (Levy Ceiling) Order 2009.

(2) This Order comes into force—

(a) for the purposes of this article and article 2, on 31st March 2009; and

(b) for the purposes of article 3, on 1st April 2009.

The levy ceiling

2. For the purposes of section 177 of the Pensions Act 2004 (amounts to be raised by the pension protection levies), the levy ceiling for the financial year beginning on 1st April 2009 is £863,412,967.

(**1**) 2004 c.35. *See also* S.I. 2008/911 which sets the levy ceiling for the financial year beginning on 1st April 2008.
(**2**) *See* section 178(4) of the Pensions Act 2004 and regulation 3 of S.I. 2006/2692.
(**3**) *See* S.I. 2009/200.