

Sam Brodbeck
via email: request-128809-
21694896@whatdotheyknow.com;

28 September 2012

Ref: FoI 11 2012 13 FY

Dear Sam,

Schemes rejected by the PPF

Thank you for your email of 11 September 2012. Your request has been considered as a request for information under the Freedom of Information Act 2000 ("FoIA")¹.

You asked:

"Dear Board of the Pension Protection Fund

Please provide the names of schemes rejected after applying for entry in to the Pension Protection Fund (since its founding or for as long as FoI restrictions allow) for reasons other than the scheme being rescued by a sponsor or the scheme being deemed sufficiently well funded.

Yours faithfully,
Sam Brodbeck".

Firstly I thought it might be helpful to set out what happens when a scheme enters the PPF.

When an insolvency event occurs (such as the appointment of administrators) at a company that sponsors a pension scheme, the PPF must be notified. The insolvency practitioner looking after the affairs of the company will notify us by sending a Section 120 Notice. There are two main types of pension scheme, a defined benefit (e.g. final salary) and a defined contribution (e.g. money purchase) pension scheme. Only members of certain defined benefit schemes are eligible for PPF compensation, so any

¹ Under the FoIA any person making a request for information to a public authority is entitled to be informed in writing whether it holds information of the description specified in the request, and, if that is the case, to have the information communicated to him. There are a number of situations when information which a public authority holds is exempt from this requirement. In particular, information is exempt information if its disclosure (otherwise than under the FoIA) by the public authority holding it:

- is prohibited by or under any enactment
- is incompatible with any community obligation, or
- would constitute or be punishable as a contempt of court.

The duty to confirm or deny whether the public authority holds information does not arise in these circumstances.

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The Pension Protection Fund is a statutory fund run by the Board of the Pension Protection Fund, a body corporate, under the Pensions Act 2004.

Section 120 Notices received that relate to defined contribution schemes are automatically rejected.

I have listed as an appendix to this letter a selection of the reasons why Section 120 notices will be deemed ineligible by the PPF. I hope that you will find this useful.

As requested please find below a list of schemes rejected by the PPF together with reasons, (other than the scheme being rescued by a sponsor or the scheme being sufficiently well funded):

Employer Name	Rejection Reason after Validation
Aicon Holdings Limited	The company concerned has fewer than two members - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
Bakery Holdings LLC	The company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the scheme.
CPC PACKAGING LIMITED	The company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the Defined Benefit Section of the Scheme.
BH Realisations (2008) Limited	The company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the scheme.
Workspace Office Solutions Limited	The company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the Scheme.
Trianco Limited	The company concerned was an employer of the scheme at the insolvency dated but had less than two employees who were members of the scheme..
Pentos Office Furniture Limited	The company concerned was an employer of the scheme at the insolvency dated but had less than two employees who were members of the scheme.

Burall Group Limited	The company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the scheme.
Label Link Ltd	The company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the scheme.
CFP International Limited	The company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the Plan.
Ferrotech Limited	After investigation it was concluded that no qualifying insolvency event had occurred.
Mori Seiki (UK) Pensions Ltd	Further information that the insolvency event that has occurred is no a qualifying even as defined by section 121 and 127 of the Pension Act, and Regulation 5 of the Pension Protection Fund (Entry Rules) Regulation 2005 because the insolvency event is a Members Voluntary Liquidation.
Mori Seiki (UK) Pensions Ltd	Further information that the insolvency event that has occurred is no a qualifying even as defined by section 121 and 127 of the Pension Act, and Regulation 5 of the Pension Protection Fund (Entry Rules) Regulation 2005 because the insolvency event is a Members Voluntary Liquidation.
Gaskell Non Wovens Limited	The company concerned was not a sponsoring or participating employer of the scheme at the date of insolvency.
Gaskell Contracts Limited	The company concerned was not a sponsoring or participating employer of the scheme at the date of insolvency.
Barry (G.B.R) Limited	The company concerned never had any employees participating in the Scheme
GSS Developments Limited	The company concerned never had any employees participating in the Scheme

GSS Projects Limited	The company concerned never had any employees participating in the Scheme
GSS Personnel Services Limited	The company concerned never had any employees participating in the Scheme
HMH Process Engineering	Further information that HMH Process Engineering and Services Limited ceased to participate in the Scheme on 29 December 1999 and therefore, was not a sponsoring or participating employer at the date of insolvency.
Trianco Limited	The company concerned was an employer of the scheme at the scheme at the insolvency date but had less than two employees who were members of the Scheme
Workspace Office Solutions Limited	Then company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the Scheme
Bullough Limited	Then company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the Scheme
WDS Components Limited	Further information confirming that WDS Components Limited was an employer of the scheme at the insolvency date but had fewer than two members in the Scheme as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulation 2005.
Metal Castings Group Limited	The company concerned never had any employees participating in the Scheme.
J L French UK Limited	Received further information confirming that the scheme is a non-segregated multi employer scheme without provision for partial winding up as defined by paragraph 61 part 6 of The Pension Protection Fund (Multi-employer Schemes)(Modifications) Regulations 2005, also known as a 'last

	man standing' scheme.
Cotelamp Limited	The company concerned was not a qualifying employer of the scheme at the insolvency date.
PDH Garages Hassocks Limited	The company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the Scheme.
Royal Doulton Limited	The company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the Scheme.
Lyndale Foods Ltd	The company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the scheme
Sira Group Limited	The company concerned was an employer of the scheme at the insolvency date but had fewer than two members in the Scheme.
Spiro-Gills Products Limited	The company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the scheme.
SR Gent Plc	The company concerned never had employees participating in the Scheme.

Tulloch Construction Group Limited formerly A Tull	Information now available to us, for these purposes we consider that the Tulloch construction Group Limited segregated part of the Scheme has fewer than two members (even though Tulloch Construction Group Limited is a statutory employer). Therefore, the condition set out in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005 is not met.
Decorpart Limited	Decorpart Scheme was established via bulk transfer-in from Pressport scheme which included protective rights where member consents had not been obtained. Therefore, scheme was rejected after validation.
Gallic Management Company Limited	The company concerned never had any employees participating in the Gallic Group Pension Scheme.
London Scottish Bank Plc	Received further information confirming that the scheme is a non-segregated multi employer scheme without provision for partial winding up as defined by paragraph 61 part 6 of The Pension Protection Fund (Multi-employer Schemes)(Modifications) Regulations 2005, also known as a 'last man standing' scheme.
National Computing Centre Limited	Further information confirming that the segregated part has fewer than two members - as specified in regulations 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
Sapcote Holdings Limited	The company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the Scheme.
Vector Holdings Limited	The company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the Defined Benefit Section of the Vector Pension Plan.

CW Textiles Limited	Further information confirming that CW Textiles Limited was an employer of the scheme at the insolvency date but had fewer than two members in the Vymura Pension Plan as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulation 2005.
Wagon Services Limited	The company concerned was an employer of the scheme at the insolvency date but had no employers who were members of the scheme.
Rok Building Limited	Received further information confirming that the segregated part of the scheme has fewer than two members - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
Rok PLC	Received further information confirming that the segregated part of the scheme has fewer than two members - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
Donald Brothers Limited	The company concerned were an employer of the scheme at the insolvency date but had less than two employees who were members of the Scheme.
Godfreys of Dundee Limited	The company concerned were an employer of the scheme at the insolvency date but had less than two employees who were members of the Scheme.
Donald Brothers Limited	The company concerned were an employer of the scheme at the insolvency date but had less than two employees who were members of the Scheme.

Godfreys of Dundee Limited	The company concerned were an employer of the scheme at the insolvency date but had less than two employees who were members of the Scheme.
Kaupthing Singer & Friedlander Limited	The company concerned never employed any members of the Scheme.

If you have any concerns about the way in which your information request has been treated, full details of our Freedom of Information procedures can be found at:
<http://www.pensionprotectionfund.org.uk/Pages/FreedomofInformation.aspx>
 Appeals are heard by a member of the PPF's senior management team who has not been involved in considering the initial request for information and a response to an appeal will be provided within 20 business days of receipt.

If, following such an appeal, you are still not satisfied you have the right to appeal to the Information Commissioner under Section 50 of the FoIA 2000. There is no charge for making an appeal to the Information Commissioner. Generally, the Information Commissioner cannot make a decision unless you have exhausted the appeals procedure provided by a public body. The Information Commissioner can be contacted at:

The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Telephone: 01625 545745

Website: www.ico.gov.uk

Yours sincerely,

Katie Hollis

Deputy Board Secretary

email: Katie.hollis@ppf.gsi.gov.uk

direct telephone: 0208 633 4982

Appendix 1 – Reasons for s.120 notice rejection

- The scheme appears to be a money purchase scheme, as specified in section 126(1) of the Pensions Act 2004.
- The scheme commenced wind up prior to 6 April 2005, as specified in section 126(2) of the Pensions Act 2004.
- The scheme is a public service pension scheme under the provision of which there is no requirement for assets related to the intended rate or amount of benefit under the scheme to be set aside in advance (disregarding requirements relating to additional voluntary contributions) – as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
- The scheme is made under section 7 of the Superannuation Act 1972 (superannuation of persons employed in local government service etc) which provides pensions to persons employed in local government service - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
- The scheme is made under section 2 of the Parliamentary and Other Pensions Act 1987 (power to provide for pensions for Members of the House of Commons etc) - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
- The scheme is a scheme in respect of which a relevant public authority has given a guarantee or made any other arrangements for the purposes of securing that the assets of the scheme are sufficient to meet its liabilities - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
- The scheme is not a tax registered scheme - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
- The scheme provides relevant benefits within the meaning of section 612(1) of the 1988 Act (interpretation) but which is neither a tax registered scheme nor a relevant statutory scheme within the meaning of section 611A of the Act (definition of relevant statutory scheme) - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
- The scheme is a scheme :
 - (i) which has been categorised by the Commission of the Board of Inland Revenue for the purposes of its approval as a centralised scheme for non-associated employers;
 - (ii) which is not contracted-out; and
 - (iii) under the provisions of which the only benefits that may be provided on or after retirement (other than money purchase benefits derived from the payment of voluntary contributions by any person) are lump sum benefits which are not calculated by reference to a member's salary - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
- The scheme is a scheme :
 - (i) the only benefits provided by which (other than money purchase benefits) are death benefits; and
 - (ii) under the provisions of which no member has accrued rights (other than rights to money purchase benefits) as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.

- The scheme is a scheme with such a superannuation fund as it mentioned in section 615(6) of the 1988 Act (exemption from tax in respect of certain pensions) as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
- The scheme does not have its main place of administration registered in the United Kingdom - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
- The scheme has fewer than two members - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005;
- The scheme has fewer than twelve members where all the members are trustees of the scheme and either:
 - (i) the provisions of the scheme provide that any decision made by the trustees is made by the unanimous agreement of the trustees who are members of the scheme; or
 - (ii) the scheme has a trustee who is independent in relation to the scheme for the purposes of section 23 of the 1995 Act) (power to appoint independent trustees) and is registered in the register maintained by the Authority in accordance with regulations made under subsection (4) of that section - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
- The scheme has fewer than twelve members where all the members are directors of a company which is the sole trustee of the scheme and either:
 - (i) the provisions of the scheme provide that any decision made by the company in its capacity as trustee is made by the unanimous agreement of the directors of that company who are members of the scheme; or
 - (ii) one of the directors of the company is independent in relation to the scheme for the purposes of section 23 of the 1995 Act and is registered in the register maintained by the Authority in accordance with regulations made under subsection (4) of that section - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
- The scheme is the Chatsworth Settlement Estate Pension Scheme - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
- The scheme, on or after the day appointed for the purposes of section 126(2) of the Act, did not have an employer in relation to the scheme and has not been authorised under section 153 of the Act (closed schemes) to continue as a closed scheme - as specified in regulation 2(1) of the Pension Protection Fund (Entry Rules) Regulations 2005.
- The Employer is not an employer in accordance with regulation 1(4) or 1(5) of the Pension Protection Fund (Entry Rules) Regulations 2005 as amended by the Pension Protection Fund (Entry Rules) (Amendment) Regulations 2005 SI 2005/2153 regulation 2(3). The reason for this is that it ceased to participate in the pension scheme on [date] and condition D was satisfied, namely at this time no debt under Section 75 of the Pensions Act 1995 was treated as becoming due to the pension scheme.
- The company concerned was not a sponsoring or participating employer of the scheme at the date of insolvency.
- The company concerned was an employer of the scheme at the insolvency date but had no employees who were members of the scheme.

- There is no pension scheme connected to the insolvency event.
- The insolvency event that has occurred is not a qualifying event as defined by section 121 and 127 of the Pensions Act, and Regulation 5 of the Pension Protection Fund (Entry Rules) Regulation 2005 because the insolvency event occurred before 6 April 2005.
- The insolvency event that has occurred is not a qualifying event as defined by section 121 and 127 of the Pensions Act, and Regulation 5 of the Pension Protection Fund (Entry Rules) Regulation 2005 because the insolvency event is a Members Voluntary Liquidation.
- The scheme is a non-segregated multi employer scheme without provision for partial winding up as defined by paragraph 61 part 6 of The Pension Protection Fund (Multi-employer Schemes)(Modifications) Regulations 2005. In such circumstances the insolvency event is not a qualifying insolvency event for the purposes of section 127 Pensions Act 2004 as there are still employers in relation to the scheme which have not suffered insolvency events.
- The scheme is a "non-registered scheme", i.e. it does not appear on the SCORE or Caseworker databases.

Further Insolvency Events after 6 April 2005 - are usually not qualifying insolvency events because:

- It is not the first insolvency event to occur in relation to the employer since the 6 April 2005.
- The 2004 Act also provides that where the insolvency event occurs during an assessment period that had already begun, the subsequent insolvency event will not be a qualifying insolvency event.
- A second insolvency event may be a qualifying insolvency event if the first insolvency event occurred before 6 April 2005.

