

27 April 2007

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Dear Stephen

Pensions Act 2004 - associated and connected persons

I write in my capacity as chairman of the Insolvency Law Committee of the City of London Law Society.

The purpose of this letter is to express the Committee's support for the comments made to you by the Financial Markets Law Committee (**FMLC**) on the current lack of protection for receivers under the contribution notice regime in section 38 of the Pensions Act 2004¹.

The Committee supports the legislative solution put forward by the FMLC for extending the definition of "insolvency practitioner" to include receivers within the exemption provision. It seems to us that there is no overriding policy reason why receivers should not be given the same protection from the contribution notice regime as that given to administrative receivers and other insolvency office-holders. If it is thought desirable, the protection could be limited to include only receivers who are licensed insolvency practitioners, but it is not obvious to the Committee why a qualification which is not needed for the appointment in question should govern the availability of an exemption founded on different policy considerations.

Yours sincerely



Hamish Anderson

Copy to:
The Rt. Hon. The Lord Woolf,
Chairman of the Financial Markets Law Committee

¹ Correspondence published on www.fmlc.org (Issue 104).
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