

**REPORT TO: PENSION SUB-COMMITTEE OF THE CITY GOVERNANCE COMMITTEE & PENSION BOARD – 23 SEPTEMBER 2024**

**REPORT ON: PENSION ADMINISTRATION PERFORMANCE – QUARTERLY UPDATE TO 30<sup>th</sup> JUNE 2024**

**REPORT BY: EXECUTIVE DIRECTOR OF CORPORATE SERVICES**

**REPORT NO: 270-2024**

**1. PURPOSE OF REPORT**

This report provides information on the recent quarter’s operational performance in relation to Pension Administration.

**2. RECOMMENDATIONS**

The Sub-Committee is asked to note the contents of the report.

**3. FINANCIAL IMPLICATIONS**

There are no direct financial implications.

**4. BACKGROUND**

This report focusses on statutory performance and is subject to ongoing development to provide enhanced reporting functionality to improve the quality of information on administration performance and compliance.

**5. SERVICE SUMMARY**

- Summary of Statutory Performance Requirements**

The following table summarises the performance of the fund administration against statutory requirements:

	Rec'd This Quarter	Rec'd Last Quarter	% Difference	Completed This Quarter	Completed Last Quarter	% Difference	Statute Days	Days To Complete This Quarter	Days To Complete Last Quarter	% Difference	Cases Out with Statute at end of Quarter
Starter	357	734	-51%	357	791	-55%	60	10	21	-51%	
Estimate	242	261	-7%	253	184	38%	60	93	78	19%	
Options	487	512	-5%	538	415	30%	60	80	66	21%	
Actual	285	299	-5%	296	253	17%	60	18	17	6%	
TV In	31	47	-34%	46	49	-6%	60	44	57	-22%	
TV Out	136	209	-35%	136	142	-4%	90	49	47	4%	
Deferred	243	311	-22%	230	326	-29%	60	27	28	-3%	
Death	174	213	-18%	177	225	-21%	60	19	16	21%	
Death Grant	33	39	-15%	39	38	3%	60	40	45	-11%	
Dependant	55	74	-26%	65	78	-17%	60	29	27	10%	
Divorce	12	15	-20%	24	21	14%	90	91	94	-3%	
<b>Total</b>	<b>2055</b>	<b>2714</b>	<b>-24%</b>	<b>2161</b>	<b>2522</b>	<b>-14%</b>					

The following provides further detail on statutory task data:

### Overall Caseload:

In this quarter caseloads received have decreased by 24%, although volumes remain high within most areas. There has also been a decrease in the caseload completed by 14% as the team continue with peer to peer training for key roles. There are ongoing actions within the team to improve overall performance.

### Prioritised Tasks:

- **Issue of Pension Options & Pensions Brought into Payment**
  - Whilst there has been a small drop in cases received within each of these areas by 5%, the team continue to give priority to these tasks and there has been an increase in the cases completed by 30% in options and 17% in actuals.
  - 3 staff have taken on acting up into Senior Pension Assistant roles from the begin of June these have been utilised to assist.
- **Processing of Death Benefits, Payments of Death Grants, and Dependant Pensions**
  - A decrease in caseloads received in all 3 areas was noted in this period.
  - Death grant days to completed have dropped by an average of 5 days.

### Other Statutory Tasks:

- **New Member Processing:** The benefits of the new workflow procedure can be seen in this area as all new joiners within this period have received their paperwork and the average days have decreased.
- **Estimates:** The volume of estimates received in this quarter stayed consistent with only a 7% decrease, however there was a 38% increase in the number of estimates completed.
- **Deferred Member Processing:** There was a continued decrease of deferred cases of 22% and the days to complete have dropped by 3%
- **Outbound Benefit Transfers:** Case volumes decrease by 35%, average processing days remained consistent.
- **Inbound Benefit Transfers:** There was a continued decrease in case volumes of 34%, cases in this area are still affected by McCloud.
- **Divorces:** case volumes remain low but these calculations can be complex to undertake.

## 5.1 Other Pension Operations

The following table summarises the other operations undertaken in addition to statutory requirements:

	Received This Quarter	Received Last Quarter	% Difference	Completed This Quarter	Completed Last Quarter	Percent Difference		Days To Complete This Quarter	Days To Complete Last Quarter	% Difference
Amend	1318	1665	-21%	1350	1427	-5%		18	17	7%
Certs	252	91	177%	73	94	-22%		15	14	9%
Other	954	765	25%	883	739	19%		45	54	-17%
Process	1055	1208	-13%	1140	1045	9%		179	143	26%

## 5.2 Employer Contributions

For the period April-June which covered the payroll periods of March to May we received 1 Late payment (ongoing issued detailed below) and 5 late submissions of the TPF91 form which is required to be provide supporting details for payment, the late forms were submitted shortly after the deadline.

As advised previously there is an ongoing issue with 1 employer with the fund continuing to liaise with the employer and updates will be provided in future reports.

## **Employers and Member Online Portals:**

### **5.3 MSS Update**

On 30/06/2024 there were 16,046 members registered for the Member Self Service Portal. This is an increase from the last quarter of 520 new members registered.

### **5.4 I-Connect Update**

37 employers are now using I-Connect on a monthly Basis. All employers have engaged with Tayside Pension Fund on the requirement to be fully operational and those not currently using I-Connect have a plan in place for this.

### **5.5 Call Centre**

Inbound calls have increased this quarter, with the total calls answered amounting to 2979. This equals 566 hours of staff time being spent on calls and continues to be a major resource for the team.

### **5.6 Compliance**

National Fraud Initiative: There are still 5 cases outstanding at the end of this quarter and Tayside Pension Fund will liaise back to the Dundee City Council fraud section regarding these where appropriate.

### **5.7 Recruitment**

- Following on from interviews in the last quarter a new clerical assistant started in May.
- At the end of April, the Pension Admin Manager retired, the job was advertised internally and interviews were undertaken. Until the resource review is complete the position has been shared between 3 staff to allow for training in the role with the responsibilities being shared. This will also allow for the business as usual to continue within the team whilst this is ongoing.
- As part of the ongoing resource review a meeting with Strathclyde has been arranged for the next quarter.
- Internal recruitment was undertaken for the acting up for 3 staff into Senior Pension Assistant roles, this took effect from June.

### **5.8 Queries & Complaints**

- 4289 emails were received into the generic email account in the quarter up to the 30<sup>th</sup> June, this equates to approximately 66 emails per working day. This is a decrease of 150 emails from the last period. Emails continue to be a significant work allocation within the team due to the considerable amount of time to review member records and ensure that a full response is provided.
- Complaints to Prudential: No escalated complaints received.
- GDPR: No GDPR breaches within this quarter.
- Complaints: During the quarter there was 1 complaint which was upheld.

### **5.9 Staff Training**

- In House Training

Training remains within the team being undertaken either face to face and via MS Teams. Senior members of the team received training in the handover of duties prior to the retirement of the Pension Administration Manager and peer to peer training continues to be delivered by experienced staff for team members taking on new roles or learning new areas within their current role.

As the majority of training is undertaken inhouse it is recognised the impact this has on the completion of caseloads and this will be reviewed in the wider resource review.

## **5.10 Employers**

A meeting was held via Microsoft Teams with 2 HR advisers from Dundee City Council to discuss the new ill health process. A further meeting has been arranged in the next quarter.

All employers have been offered the opportunity of a meeting to discuss the change.

## **5.11 Annual Pension Increase**

The 2024 Pensions Increase was applied to all pensioners with effect from 8<sup>th</sup> April 2024. The percentage increase was 6.7%. For Pensioners, this provided them with a partial increase for April of 7 days at the old rate and 23 days at the new rate, with the full monthly increase coming into effect from May. A notice was also posted on to the Fund website to provide details of the increase.

## **5.12 End of Year Update**

At the 30<sup>th</sup> June 2024:-

- 4 employers have submitted a first version end of year file
- 1 employer has uploaded 3 submissions
- 36 employers have uploaded all submissions for the end of year.

Employers who had not uploaded all submissions had queries or issues on the files and these were awaiting resolution.

## **5.13 Annual Benefits Statements**

The elections forms required to be issued to new active members began on the 3<sup>rd</sup> June 2024. As at the 30<sup>th</sup> June 2024, 2461 forms had been generated and sent. Annual Benefit Statements were generated and issued either via upload to MSS or via post by the deadline of 31<sup>st</sup> August to all active and deferred members. Full details of the annual exercise will be provided in the next quarter.

## **5.14 McCloud remedy**

- Employers

We are still awaiting information from some employers on change in hours and service breaks for members. We are actively liaising with employers to receive this information but understand this is a significant task for payroll departments due to having to provide information from the 1<sup>st</sup> April 2015 up to 31<sup>st</sup> March 2022.

- Update on transfers

As software updates are still outstanding the LGA created a spreadsheet for calculating Non Club transfers and this is now in operation. The LGA advised they will not be providing a spreadsheet for Club transfers and the Scottish LGPS funds are working together to create a resource for this.

## **5.15 Abolition of the Lifetime Allowance (LTA)**

The UK Government introduced legislation to abolish the lifetime allowance and this came into effect from the 6<sup>th</sup> April 2024. It has however introduced two new lump sum limits to restrict the amount of tax-free cash an individual can take over their lifetime.

As with the lifetime allowance, most LGPS members will not be affected by the new lump sum limits below:

Limit	Lump sums included	Lump sum allowance (LSA)
£268,275	Pension commencement lump sums (PCLS) and uncrystallised funds pension lump sums (UFPLS)	Lump sum and death benefit allowance (LSDBA)
£1,073,100	PCLS, UFPLS, serious ill health lump sums (SIHLS), authorised lump sum death benefits	

The change in the new lump sum limits has meant that member retirement forms have been amended to ensure the necessary checks are been taken prior to the payment of member benefits.

## 6. EXIT CREDITS CONSULTATION

The Scottish Public Pensions Agency ran a short technical consultation on the draft Local Government Pension Scheme (Scotland) (Amendment) (No. 2) Regulations 2024. The consultation ran from 9 May 2024 to 30 May 2024. The draft regulations propose:

- introducing a discretionary power for administering authorities to determine the amount of exit credit payable to an employer leaving the LGPS (aligning with the approach in LGPS England and Wales)
- implementing a six-month deadline from the exit date to pay exit credits (or such longer time as the authority and employer may agree).

The regulations are intended to also cover employers who left between 1 June 2018 and the date the regulations come into force (proposed to be 29 June 2024) where the exit credit has yet to be paid. A working group of the Scottish Scheme Advisory Board is considering whether any guidance is needed for administering authorities on the factors to consider when exercising the discretion, to ensure a degree of consistency. The consultation documents, including response, are available on the Scheme consultations page of the LGPS and Regulations Guidance website.

[Scheme Consultations \(scotlgpsregs.org\)](https://www.scotlgpsregs.org).

## 7. SPPA CIRCULAR 7/2024

- **McCloud Remedy Underpin Information in 2024 Annual Benefit Statements**

The Scottish Public Pensions Agency (SPPA) published Circular 7/2024 on 31 July 2024. The circular was provided to notify that Scottish Ministers are preparing to consult on regulations to remove the requirement to include McCloud Remedy underpin information on the 2024 Annual Benefits Statements which were issued to members by 31 August 2024.

As the legislation is currently written Administering Authorities are required to include McCloud Remedy underpin information for qualifying active members in Annual Benefit Statements from this year onwards. However, it has been recognised that significant steps are needed to accurately update members' records to include the underpin information, including the collection, validation and testing of data from employers, updates to IT systems, and amendments to individual records. All these steps will need to be undertaken before Annual Benefit Statements can reflect a member's underpin rights.

Due to the difficulties in obtaining this information and to help ensure this does not detract from work on other aspects of the McCloud remedy, the SPPA will shortly consult on draft regulations to modify the requirement to include underpin information in the 2024 Annual Benefit Statement.

Administering authorities will be given the discretion to provide this information for members, if they have access to the necessary information. The amendments will be backdated to 1 October 2023, so that Annual Benefit Statement provided by administrators before the regulations are made are included within the change.

The SPPA will also seek views on whether to extend this to the 2025 ABS. If Ministers decide to take this approach, authorities will not be required to include the estimated underpin information for eligible members if they are not confident that they possess the necessary information in full. Where this decision is taken, underpin information for that member would not need to be included until the 2026 ABS. The SPPA are proposing that any administering authorities planning to exercise this discretion

makes this decision by 31 July 2025, and informs affected members of this decision via their ABS for 2025.

As these modified regulations will not be in force before the 2024 ABS deadline of 31 August the Pensions Regulator (TPR) expects all administering authorities to report that they will not be in a position to include underpin information in the 2024 ABS. SPPA will also make TPR aware that the breach should be resolved when the regulations come into force later in 2024.

- **Calculating interest on payments resulting from McCloud**

The circular also covered part 3 of the LGPS (Remediable Service) (Scotland) Regulations where it sets out which past cases must be recalculated by administering authorities, where additional payments are due as a result of the recalculation, regulation 14 of those regulations sets out the special interest rules to apply.

The SPPA are proposing to make changes consistent with the provisions in the LGPS in England and Wales, which provide that interest is calculated from “the earliest date from which the administering authority would have been able to make the payment”. The 2023 regulations do not currently explicitly provide the date from which the interest is to be calculated.

In addition, in respect of recalculating top-up payments to trivial commutation payments, pension commencement lump sums, transfer payments and death grants, the 2023 regulations will provide that interest is calculated from the date the authority paid the original lump sum.

The SPPA intend to consult on amending regulation 14 with retrospective effect to 1 October 2023.

## **8. Updated GAD guidance**

The Scottish Public Pensions Agency emailed administering authorities with new LGPS actuarial guidance on 14 May 2024, which took effect immediately. The guidance does not contain any new factors, but does provide additional information about how the McCloud remedy will affect certain calculations. The guidance update is:

- Early Payment Guidance
- Late Guidance

## **9. REGULATIONS**

Details of regulatory matters are contained in Appendix 1.

## **10. POLICY IMPLICATIONS**

This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate senior manager has reviewed and agreed with this assessment.

## **11. CONSULTATIONS**

The Chief Executive and Head of Democratic and Legal Services have been consulted in the preparation of this report.

## **BACKGROUND PAPERS**

None.

**ROBERT EMMOTT**

**EXECUTIVE DIRECTOR OF CORPORATE SERVICES**

**22 October 2024**

## **REGULATORY COMMUNICATIONS**

### **The Scottish Scheme Advisory Board (SAB)**

The Scottish Scheme Advisory Board (SAB) recently published its May bulletin.  
[SAB Bulletin – May 2024 | LGPSAB](#)

The bulletin follows its latest meeting held on 15 May 2024 and covers:

- the gender pensions gap
- the 2023 fund valuations
- the exit credit consultation
- LGPS specific cost control mechanism for Scotland
- Economic Activity of Public Bodies (Overseas Matters) Bill
- fund annual reports
- agreed measures to develop the SAB's work

### **Wider Landscape**

#### **HMRC**

##### **Pension schemes newsletter 157**

[Pensions schemes newsletter 157 – March 2024 - GOV.UK \(www.gov.uk\)](#)

The newsletter covered:-

- additional security on the Managing Pension Schemes service
- migrating to the Managing Pension Schemes service
- updates to HMRC forms that are used for qualifying recognised overseas pension schemes (QROPS) transfers
- an invitation to volunteer to assist HMRC develop the function to submit the APSS262 form on the Managing Pension Schemes service
- updates to the event report due to the abolition of the LTA. The newsletter also contains additional FAQs on the abolition of the LTA.

- **Pension schemes newsletter 158**

[Pensions schemes newsletter 158 – April 2024 - GOV.UK \(www.gov.uk\)](#)

This newsletter gives more information on the abolition of the LTA and included:

- an update on future communications and guidance
- an outline of changes that will shortly be made through regulations. These will have effect from 6 April 2024 and cover:
  - transitional tax-free amount certificates
  - reporting requirements
  - protections
  - lump sum death benefits
  - overseas transfer allowance
  - scheme-specific lump sum protection
- guidance on how schemes should operate before the regulations come into force. The newsletter also covers the impact of the abolition of the LTA on the McCloud remedy.

- **Pension schemes newsletter 159**

[Newsletter 159 – April 2024 - GOV.UK \(www.gov.uk\)](#)

The newsletter provided more information on the abolition of the LTA. This included clarification on:

- how to treat benefits paid from 6 April 2024 where the individual became entitled to them before that date
- pension commencement excess lump sums
- the statutory override
- lump sum death benefits and transitional calculations
- how to deal with cases where further regulations are required and the member requires payment and cannot wait due to financial hardship
- lump sum reporting.

The newsletter also covered the tax treatment of interest payments for McCloud recalculations.

- **Pension schemes newsletter 160**  
[Newsletter 160 — May 2024 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/newsletter-160)

The newsletter includes articles on:

- transitional tax-free amount certificates: a link to a new online member tool to check if they can apply and a reminder on what must be included on certificates
- payroll reporting for 2024/25: information on reporting certain authorised lump sums, such as death grants
- managing pension schemes service: information on submitting pension scheme returns, a reminder to migrate and a request for volunteers to assist HMRC with their plans to move the lifetime allowance protection look-up service onto the Managing pension schemes service
- contacting HMRC pension schemes services: a reminder of the correct routes for pension administrators to raise queries.

- **Lifetime Allowance**

Abolition of the Lifetime Allowance (LTA)

On 26 April 2024, HMRC published a consolidated version of all the frequently asked questions (FAQs) published, in pension scheme newsletters and Lifetime Allowance (LTA) newsletters, since January 2024. Including those published in pension schemes newsletter 157.

Updates to Pension Tax Manual (PTM)

HMRC updated the Pensions Tax Manual (PTM) with the changes brought about by the abolition of the LTA on 6 April 2024. The PTM details the changes made by Finance Act 2024 and the Pensions (Abolition of Lifetime Allowance Charge etc) Regulations 2024. Any changes subject to further regulations will be highlighted in the PTM by pointing users towards the relevant LTA newsletters.

- **McCloud**

**Impact of the abolition of the LTA on the McCloud remedy**

HMRC published pension schemes newsletter 158, which covered the consequences of abolishing the lifetime allowance (LTA) on the McCloud remedy.

For the LGPS, the key points are: •

- Pensioner members will have a new tax entitlement if their benefits increase due to McCloud recalculations. The original benefit crystallisation events do not change.
- If the entitlement to the extra pension arises after 5 April 2024 and the member can and does elect to commute part of the extra pension for lump sum, a relevant benefit crystallisation event (RBCE) occurs, using up some of their lump sum allowance and lump sum death benefit allowance.



- Regulation 31 of The Public Service Pension Schemes (Rectification of Unlawful Discrimination) (Tax) Regulations 2023 needs to be amended. It covers top-up death grants from McCloud recalculations. It aims to treat top up death grants paid after the 'relevant two-year period' as being paid within that period for tax purposes if the original death grant was. The 'relevant two year period' begins with the date the administrator first knew of the death, or could first reasonably have known of it. Due to changes to abolish the LTA from 6 April 2024, regulation 31 no longer delivers the intention. HMRC will consult with public service schemes to resolve this.
- Administering authorities will need to be careful upon receiving transitional tax-free amount certificate applications from members with previous benefits in other public service schemes - other than the LGPS. This is due to the retrospective nature of the McCloud remedy in those schemes. Before issuing a certificate, additional enquiries are necessary.
- HMRC plans to extend the deadline for applying for Fixed Protection 2016 or Individual Protection 2016 for members with remediable service, changing it from 5 April 2025 to 5 April 2027

### **Tax treatment of interest payment on McCloud recalculations**

In newsletter 159, HMRC had confirmed it had updated previous guidance in newsletter 156 regarding the tax treatment of interest payments on arrears or top up payments stemming from McCloud recalculations. Before it was updated, newsletter 156 suggested a portion of the interest payment may have been an unauthorised payment. The updated guidance clarifies if the interest is paid on an authorised payment, the whole interest payment is also an authorised payment.

### **Public service pensions remedy newsletter**

HMRC published the latest public service pensions remedy newsletter on 14 June 2024.

[Newsletter on the public service pensions remedy — June 2024 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/newsletters/public-service-pensions-remedy-june-2024)

The newsletter covers:

- the interim process for members while the 'Calculate your public service pension adjustment service' is unavailable
- planned improvements to the 'Calculate your public service pension adjustment service' and proposed release dates. HMRC plans to re-open the service with some improvements in place in mid-July 2024, with further updates in September 2024
- a request for volunteers to email [publicservicepensionsremedy@hmrc.gov.uk](mailto:publicservicepensionsremedy@hmrc.gov.uk) if they would like to influence the future development of the service.

### **Pension Dashboards**

- The Pensions Regulator (TPR) has published a 'Check your connect by date' tool. Administrators can use this tool to work out by when they should connect to the dashboards ecosystem in line with guidance published by the Department for Work and Pensions (DWP). [All public service pension schemes should connect to the ecosystem by 31 October 2025.](#)

- **PDP progress update report**

PDP published its ninth progress update report. The report looks back at the achievements since October 2023, as well as looking ahead to its focus areas for the next six months.

The Data standards version 1.2 was published on the 30 April 2024

[Data standards: what they are, what's been updated and what this means for industry | Publications | UK Pensions Dashboards Programme](#)

This covers the data requirements for 'finding' and 'viewing' pensions information that are mandatory for providers and schemes connecting to the ecosystem. They are there to build a common set of message handling tools to receive and reply with data. The ISP being used will use their processes to meet the data standards. However, as the standards apply to administering authorities, they remain

responsible for compliance, even if implementation is delegated to an I S P. Further guidance on connection and the technical, reporting and design standards will be published once tested and validated by the volunteer participants.

- **PASA Spring 2024 dashboards update**

[An update from the PASA Dashboards Working Group – Spring 2024 – The Pensions Administration Standards Association \(pasa-uk.com\)](#)

The Pensions Administration Standards Association (PASA) published their Spring update on dashboards. The update looks at AVCs, a matrix of synthetic test cases, matching and administration readiness

Guidance on data presence and accuracy has also been published. The guidance sets out why data should not just be present but accurate. It provides suggestions on how administrators can improve and maintain their data accuracy. This guidance may prove particularly helpful when preparing data for submission to the pensions dashboards ecosystem.

[PASA DWG – Data Accuracy vs Data Presence – The Pensions Administration Standards Association \(pasa-uk.com\)](#)

### **The Pension Regulator (TPR)**

- **Blog on equality, diversity and inclusion**

[Equality, diversity and inclusion: how transparency can help to build trust | The Pensions Regulator Blog](#)

TPR published a blog on equality, diversity and inclusion: how transparency can help to build trust. The blog discusses transparency on TPR's pay gaps and why this is a small but important part of making workplace pensions for all savers. It also includes publication of TPR's gender pay gap data.

- **Corporate plan for 2024 to 2027**

[Corporate Plan 2024 to 2027 | The Pensions Regulator](#)

The Pensions Regulator (TPR) published its new Corporate Plan 2024 to 2027 on 3 May 2024. The plan sets out TPR's direction for the next three years, explaining how it will protect savers' money, help to enhance the pensions system and support innovation in the interests of savers.

### **The Pension Ombudsman (TPO)**

- **Blog on the TPO operating model**

[Operating Model Review - A blog by Dominic Harris | The Pensions Ombudsman \(pensions-ombudsman.org.uk\)](#)

This blog from the Pension Ombudsman talks about:

- how the TPO operating model review will benefit the industry and members
- changes that mean a member must exhaust a scheme's formal complaints process before bringing a case to TPO.

## **Miscellaneous**

- **2020 HM Treasury cost control mechanism results**

On 19 April 2024, the Government Actuary's Department released the results for the 2020 HM Treasury cost control. The results showed that the core cost was 12.4 per cent of pensionable pay. This is 2.8 per cent below the employer cost cap of 15.2 per cent. As this lies within 3 per cent of the cost cap corridor, there is no breach of the cost control mechanism. Therefore, there is no requirement for Scottish Ministers to consult on changes to the scheme.

The Government Actuary's Department recently published a webpage which contains links to the 2020 cost control valuation reports for all relevant UK public service pension schemes.

[Public Service pensions: 2020 actuarial valuation reports - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/public-service-pensions-2020-actuarial-valuation-reports)

- **Finance (No. 2) Act 2024**

[Finance \(No. 2\) Act 2024 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2024/2)

The Finance (No. 2) Act 2024 received Royal Assent on 24 May 2024. The Act amends the rules concerning collective money purchase (CMP) schemes. The amendment ensures that HMRC's regulation-making powers cater for the range of situations which may arise when a CMP scheme discharges its liabilities on winding up