
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes further provision for the coming into force of provisions of the Pensions Act 2004 (c. 35) (“the Act”).

Article 2(1) appoints the day for the purposes of section 91(9) of the Act (procedure for issue and publication of codes of practice) for the coming into effect of the Pensions Regulator Code of Practice No. 2: Notifiable Events as 30th June 2005.

Article 2(2) appoints the day for the coming into force of section 121(7) of the Act (insolvency event etc) as 30th June 2005.

Article 2(3) appoints the day for the coming into force of sections 182, 183, 185 and 186 of the Act (fraud compensation payments) for the purposes of conferring power to make regulations as 12th July 2005 and for all other purposes as 1st September 2005.

Article 2(4) appoints the day for the coming into force of section 213 of the Act (reference of reviewable matters to the PPF Ombudsman) for the purposes of conferring power to make regulations as 1st July 2005 and for all other purposes as the day after the first regulations under section 213 are made.

Article 2(5) appoints the day for the coming into force of section 214 of the Act (investigation by the PPF Ombudsman of complaints of maladministration) for the purposes of conferring power to make regulations as 1st July 2005 and for all other purposes as the day after the first regulations under section 214 are made.

Article 2(6) appoints the day for the coming into force of sections 212 and 215 to 218 of the Act (annual reports and further provisions concerning the functions of the PPF Ombudsman) as the first day after the first regulations made under section 213 or 214 of the Act come into force, whichever is the earlier.

Article 2(7) appoints the day for the coming into force of section 239 of the Act (categories of pension scheme) for the purpose of conferring power to make regulations as 1st July 2005 and for all other purposes, and in respect of particular cases, as 22nd September 2005 and 6th April 2006 respectively.

Article 2(8) appoints the day for the coming into force of section 256 of the Act (no indemnification for fines etc) as 30th June 2005.

Article 2(9) appoints the day for the coming into force of section 283 of the Act (power to prescribe conditions by reference to Inland Revenue approval) as 1st July 2005.

Article 2(10) appoints the day for the coming into force of section 302(1) of the Act (dissolution of the Pensions Compensation Board) as 1st September 2005.

Article 2(11) and (12) appoints the days for the coming into force of certain provisions in Schedule 12 to the Act which makes consequential amendments to the Welfare Reform and Pensions Act 1999 (c. 30) as 30th June 2005 and 22nd September 2005 respectively.

Article 2(13) appoints the day for the coming into force of certain repeals specified in Schedule 13 to the Act as 6th April 2006.

Article 2(14) and Part 1 of the Schedule appoints the day for the coming into force of sections 252 (UK schemes to be trust based with effective rules) and 255 (activities of occupational pension schemes) of the Act for the purpose of conferring power to make regulations as 1st July 2005 and for all other purposes on 22nd September 2005.

Article 2(15) and Part 2 of the Schedule appoints the day for the coming into force of sections 269 (payments made by employers etc) and 284 (restrictions on commutation etc) of the Act for the purposes of conferring power to make regulations as 1st July 2005 and for all other purposes as 6th April 2006.

Changes to legislation: *There are currently no known outstanding effects for the The Pensions Act 2004 (Commencement No. 6, Transitional Provisions and Savings) Order 2005. (See end of Document for details)*

Article 2(16) and Part 3 of the Schedule appoints the day for the coming into force of further provisions and repeals, in respect of fraud compensation, as 1st September 2005.

Article 3 makes provision, in connection with the coming into force on 1st September 2005 of section 302(1) of the Act which provides for the dissolution of the Pensions Compensation Board, for the transfer of property, rights and liabilities of the Pension Compensation Board to the Board of the Pension Protection Fund.

Articles 4 and 5 make transitional provisions and savings in connection with the dissolution of the Pensions Compensation Board.

Changes to legislation:

There are currently no known outstanding effects for the The Pensions Act 2004 (Commencement No. 6, Transitional Provisions and Savings) Order 2005.