



# Pensions Act 2004

## 2004 CHAPTER 35

### PART 1

#### THE PENSIONS REGULATOR

##### *Establishment*

## 1 The Pensions Regulator

There shall be a body corporate called the Pensions Regulator (in this Act referred to as “the Regulator”).

### Commencement Information

II S. 1 in force at 17.12.2004 by [S.I. 2004/3350](#), art. 2, [Sch.](#)

## 2 Membership of the Regulator

- (1) The Regulator is to consist of the following members—
  - (a) a chairman appointed by the Secretary of State,
  - (b) the Chief Executive of the Regulator, and
  - (c) at least five other persons appointed by the Secretary of State after consulting the chairman.
- (2) The chairman must not be appointed from the staff of the Regulator or be the chairman of the Board of the Pension Protection Fund (see section 108).
- (3) At least two of the members appointed under subsection (1)(c) must be appointed from the staff of the Regulator.
- (4) In appointing persons under subsection (1)(c) the Secretary of State must secure that a majority of the members of the Regulator are non-executive members.

*Changes to legislation: Pensions Act 2004, Cross Heading: Establishment is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (5) No member of the staff of the Board of the Pension Protection Fund is eligible for appointment as a member of the Regulator.
- (6) In this Part—
- (a) references to executive members of the Regulator are to—
    - (i) the Chief Executive, and
    - (ii) the members appointed under subsection (1)(c) from the staff of the Regulator, and
  - (b) references to non-executive members of the Regulator are to members who are not executive members.

**Commencement Information**

- I2** S. 2(1)(2)(4)-(6) in force at 17.12.2004 by [S.I. 2004/3350](#), art. 2, **Sch.**
- I3** S. 2(3) in force at 6.4.2005 by [S.I. 2005/275](#), art. 2(7), **Sch. Pt. 7**

**3 Further provision about the Regulator**

Schedule 1 makes further provision about the Regulator, including provision as to—

- the terms of appointment, tenure and remuneration of members,
- the appointment of the Chief Executive and other staff,
- the proceedings of the Regulator,
- its funding and accounts, and
- the status and liability of the Regulator, its members and staff.

**Commencement Information**

- I4** S. 3 in force at 17.12.2004 for specified purposes by [S.I. 2004/3350](#), art. 2, **Sch.**
- I5** S. 3 in force at 1.4.2005 for specified purposes by [S.I. 2005/275](#), art. 2(2), **Sch. Pt. 2** at 10.2.2005 for specified purposes; at 1.4.2005 for all other purposes in so far as it relates to Sch. 1 para. 26, (with transitional provisions and savings in [S.I. 2005/695](#), arts. 5(8), 6, Schs. 2, 3 (as amended by [S.I. 2005/1108](#), art. 3(b))
- I6** S. 3 in force at 10.2.2005 for specified purposes by [S.I. 2005/275](#), art. 2(4), **Sch. Pt. 4**
- I7** S. 3 in force at 6.4.2005 for specified purposes by [S.I. 2005/275](#), art. 2(7), **Sch. Pt. 7**

**Changes to legislation:**

Pensions Act 2004, Cross Heading: Establishment is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18(5A) inserted by [2014 c. 19 s. 52\(2\)](#)
- s. 18(6) words inserted by [2014 c. 19 s. 52\(3\)](#)
- s. 18(8) words inserted by [2014 c. 19 s. 52\(3\)](#)
- s. 23(1A) inserted by [2015 c. 8 Sch. 2 para. 26\(3\)](#)
- s. 23(10A) inserted by [2015 c. 8 Sch. 2 para. 26\(5\)](#)
- s. 38(1)-(1B) substituted for s. 38(1) by [2015 c. 8 Sch. 2 para. 27](#)
- s. 38(7)(da) inserted by [2021 c. 1 s. 104\(2\)](#)
- s. 43(1)-(1B) substituted for s. 43(1) by [2015 c. 8 Sch. 2 para. 28\(2\)](#)
- s. 52(1)-(1B) substituted for s. 52(1) by [2015 c. 8 Sch. 2 para. 29](#)
- s. 80(1)(a)(iib) inserted by [2021 c. 1 s. 109\(3\)](#)
- s. 102(2)(a) words in s. 102(2) renumbered as s. 102(2)(a) by [2008 c. 30 s. 44\(5\)\(a\)](#)
- s. 102(2)(b) inserted by [2008 c. 30 s. 44\(5\)\(b\)](#)
- s. 103(1A) inserted by [2008 c. 30 s. 44\(6\)](#)
- s. 117A inserted by [2008 c. 30 Sch. 10 para. 3](#)
- s. 126(1)-(1B) substituted for s. 126(1) by [2015 c. 8 Sch. 2 para. 31](#)
- s. 188(1)(ba) inserted by [2008 c. 30 Sch. 10 para. 6](#)
- s. 189A inserted by [2008 c. 30 Sch. 10 para. 7](#)
- s. 209(9) added by [2008 c. 30 Sch. 10 para. 8](#)
- s. 291(4)(f) and word inserted by [2021 c. 1 Sch. 3 para. 19\(b\)](#)
- s. 318(3)(a)(viii)-(x) inserted by [2015 c. 8 Sch. 2 para. 38\(3\)\(a\)](#)
- s. 318(3)(b)(vi)-(viii) inserted by [2015 c. 8 Sch. 2 para. 38\(3\)\(b\)](#)
- Sch. 4 para. 7(5)(b) inserted by [2008 c. 30 s. 44\(8\)\(b\)](#)
- Sch. 4 para. 13(3) inserted by [2008 c. 30 s. 44\(9\)\(b\)](#)
- Sch. 4 para. 7(5)(a) words in Sch. 4 para. 7(5) renumbered as Sch. 4 para. 7(5)(a) by [2008 c. 30 s. 44\(8\)\(a\)](#)
- Sch. 7 para. 21(2)(c)-(cc) substituted for Sch. 7 para. 21(2)(b)(c) by [2008 c. 30 Sch. 8 para. 11](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 8 para. 10 (3.1.2012) omitted without ever being in force by virtue of [2011 c. 19](#), Sch. 4 para. 20; [S.I. 2011/3034 art. 3\(i\)\(iv\)](#))