



Pensions Act 2004

2004 CHAPTER 35

PART 2

THE BOARD OF THE PENSION PROTECTION FUND

CHAPTER 4

FRAUD COMPENSATION

Entitlement to fraud compensation

186 Interim payments

- (1) The Board may, on an application under section 182, make a payment or payments to the trustees or managers of an occupational pension scheme if—
 - (a) it is of the opinion that—
 - (i) the case is one to which subsection (1) of that section applies or may apply, and
 - (ii) the trustees or managers would not otherwise be able to meet liabilities of a prescribed description, but
 - (b) it has not determined the settlement date under section 184.
- (2) Amounts payable under this section must not exceed the amounts determined in accordance with regulations.
- (3) The Board may, except in prescribed circumstances, recover so much of any payment made under subsection (1) as it considers appropriate if, after the payment is made, it determines—
 - (a) that the case is not one to which section 182(1) applies, or
 - (b) that the amount of the payment was excessive.

Changes to legislation: *Pensions Act 2004, Section 186 is up to date with all changes known to be in force on or before 22 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*

- (4) Subject to that, a payment under subsection (1) may be made on such terms (including terms requiring repayment in whole or in part) and on such conditions as the Board considers appropriate.

Modifications etc. (not altering text)

- C1** Pt. 2 applied in part (with modifications) (20.7.2005 for specified purposes, 1.9.2005 for specified purposes, 5.12.2005 for specified purposes) by [The Financial Assistance Scheme Regulations 2005 \(S.I. 2005/1986\)](#), [regs. 1\(1\), 4](#), [Sch. 1](#)
- C2** Ss. 182-187: power to modify conferred (5.9.2018 for specified purposes, 1.10.2018 so far as not already in force) by [Pension Schemes Act 2017 \(c. 17\)](#), [ss. 36\(1\), 44\(2\)](#); [S.I. 2018/965](#), [reg. 2](#)

Commencement Information

- I1** S. 186 in force at 12.7.2005 for specified purposes by [S.I. 2005/1720](#), [art. 2\(3\)\(a\)](#)
- I2** S. 186 in force at 1.9.2005 in so far as not already in force by [S.I. 2005/1720](#), [art. 2\(3\)\(a\)](#)

Changes to legislation:

Pensions Act 2004, Section 186 is up to date with all changes known to be in force on or before 22 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.

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Changes and effects yet to be applied to :

- s. 182-186 modified by [S.I. 2005/2184 reg. 10](#)
- s. 182-186 modified by [S.I. 2005/2184 reg. 13](#)
- s. 182-186 modified by [S.I. 2005/2184 reg. 14](#)
- s. 182-186 modified by [S.I. 2005/2184 reg. 15](#)
- s. 182-186 modified by [S.I. 2005/2184 reg. 16](#)
- s. 182-186 modified by [S.I. 2005/2184 reg. 17](#)
- s. 182-186 modified by [S.I. 2005/2184 reg. 18](#)
- s. 182-186 modified by [S.I. 2005/2184 reg. 19](#)
- s. 182-186 modified by [S.I. 2005/2184 reg. 20](#)
- s. 184-186 modified by [S.I. 2005/2184 reg. 11](#)

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))