

*These notes refer to the Pensions Act 2004 (c.35)  
which received Royal Assent on 18 November 2004*

# **PENSIONS ACT 2004**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 2 – the Board of the Pension Protection Fund**

#### *Chapter 6 – Reviews, Appeals and Maladministration*

#### *Section 207: Review and reconsideration by the Board of reviewable matters*

768. This section is a mandatory power, under which regulations must provide for the two stage internal process under which reviewable matters (as set out in *Schedule 9*) may be reviewed.
769. Regulations must provide that where an interested person makes a written application, on any matter which is reviewable under *Schedule 9*, the Board must give a ‘review decision’. Where a further written application is made for a review of that “review decision” the matter must be considered by the Reconsideration Committee of the Board, which will issue a “reconsideration decision”.
770. *Subsection (3)* provides that regulations may also permit reviews and reconsiderations to be made without a written application being made. (This gives the Board the power to review a decision of its own volition.)
771. *Subsection (4)* sets out the powers the Board will have under regulations when reviewing or reconsidering a decision. For example it will be able to vary or revoke an earlier decision.
772. *Subsection (5)* provides that regulations must make provision regarding making applications and reaching and giving decisions.