



Pensions Act 2004

2004 CHAPTER 35

PART 1

THE PENSIONS REGULATOR

Collecting information relevant to the Board of the Pension Protection Fund

69 Duty to notify the Regulator of certain events

- (1) Except where the Regulator otherwise directs, the appropriate person must give notice of any notifiable event to the Regulator.
- (2) In subsection (1) “notifiable event” means—
 - (a) a prescribed event in respect of an eligible scheme, or
 - (b) a prescribed event in respect of the employer in relation to an eligible scheme.
- (3) For the purposes of subsection (1)—
 - (a) in the case of an event within subsection (2)(a), each of the following is “the appropriate person”—
 - (i) the trustees or managers of the scheme,
 - (ii) a person of a prescribed description, and
 - (b) in relation to an event within subsection (2)(b), each of the following is “the appropriate person”—
 - (i) the employer in relation to the scheme,
 - (ii) a person of a prescribed description.
- (4) A notice under subsection (1)—
 - (a) must be in writing, and
 - (b) subject to subsection (5), must be given as soon as reasonably practicable after the person giving it becomes aware of the notifiable event.
- (5) Regulations may require a notice under subsection (1) to be given before the beginning of the prescribed period ending with the notifiable event in question.

Changes to legislation: Pensions Act 2004, Section 69 is up to date with all changes known to be in force on or before 11 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

- (6) No duty to which a person is subject is to be regarded as contravened merely because of any information or opinion contained in a notice under this section.

This is subject to section 311 (protected items).

- (7) Where the trustees or managers of a scheme fail to comply with an obligation imposed on them by subsection (1), [^{F1}section 88A (financial penalties)] applies in relation to any trustee or manager who has failed to take all reasonable steps to secure compliance with that subsection.

- (8) [^{F2}Section 88A] also applies to any other person who, without reasonable excuse, fails to comply with an obligation imposed on him by subsection (1).

- (9) In this section—

“eligible scheme” has the meaning given by section 126;

“event” includes a failure to act.

Textual Amendments

- F1** Words in s. 69(7) substituted (1.10.2021) by [Pension Schemes Act 2021 \(c. 1\)](#), **ss. 108(2)(a)**, 131(1); [S.I. 2021/950](#), [reg. 2\(3\)\(e\)](#) (with [regs. 4, 8](#))
- F2** Words in s. 69(8) substituted (1.10.2021) by [Pension Schemes Act 2021 \(c. 1\)](#), **ss. 108(2)(b)**, 131(1); [S.I. 2021/950](#), [reg. 2\(3\)\(e\)](#) (with [regs. 4, 8](#))

Commencement Information

- I1** S. 69(1)(3)(a)(i)(b)(i)(4)(6)-(9) in force at 6.4.2005 by [S.I. 2005/275](#), [art. 2\(7\)](#), **Sch. Pt. 7**
- I2** S. 69(2)(3)(a)(ii)(b)(ii)(5) in force for the purpose only of conferring power to make regulations, orders or rules, as the case may be, 10.2.2005; and for all other purposes at 6.4.2005 in so far as not already in force by [S.I. 2005/275](#), [art. 2\(3\)](#), **Sch. Pt. 3**

Changes to legislation:

Pensions Act 2004, Section 69 is up to date with all changes known to be in force on or before 11 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 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))