



# Pension Schemes Act 2021

## 2021 CHAPTER 1

### PART 3

#### THE PENSIONS REGULATOR

##### *Gathering information*

#### **111 Inspection of premises**

- (1) Section 73 of the Pensions Act 2004 (inspection of premises) is amended as follows.
- (2) In subsection (2)—
  - (a) after paragraph (da) insert—
    - “(db) the Pension Schemes Act 2017;
    - (dc) Part 1 of the Pension Schemes Act 2021;”;
  - (b) in paragraph (e), for “(da)” substitute “(dc)”.
- (3) After subsection (2) insert—

“(2A) An inspector may, for the purposes of investigating whether the Regulator has grounds in the case of an occupational pension scheme for issuing—

  - (a) a contribution notice under section 38 (contribution notices where avoidance of employer debt),
  - (b) a financial support direction under section 43 (financial support directions),
  - (c) a contribution notice under section 47 (contribution notices where non-compliance with financial support direction),
  - (d) a restoration order under section 52 (restoration orders where transactions at an undervalue),
  - (e) a contribution notice under section 55 (contribution notice where failure to comply with restoration order), or
  - (f) a notice, direction or order under any corresponding provision in force in Northern Ireland,

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*Status: This is the original version (as it was originally enacted).*

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at any reasonable time enter premises liable to inspection.”

(4) After subsection (5) insert—

“(5A) An inspector may, for the purposes of investigating whether the relevant provisions are being, or have been, complied with in the case of a scheme, at any reasonable time enter premises liable to inspection.

(5B) In subsection (5A), “the relevant provisions” means provisions contained in or made by virtue of—

- (a) such provisions of the pensions legislation as may be prescribed;
- (b) any provisions in force in Northern Ireland corresponding to the provisions so prescribed.”

(5) In subsection (6) (premises liable to inspection)—

- (a) in paragraph (b), omit the “or” at the end;
- (b) after paragraph (c) insert—
  - “(d) documents relevant to the administration of the business of the employer in relation to the scheme are being kept there,
  - (e) the administration of the business of the employer in relation to the scheme, or work connected with that administration, is being carried out there, or
  - (f) in the case of an occupational pension scheme other than a money purchase scheme, a prescribed scheme or a scheme of a prescribed description, documents relevant to a change in the ownership of the employer or of a significant asset of the employer are being kept there.”

(6) After subsection (6) insert—

“(6A) In the application of this section in relation to a provision mentioned in subsection (1), (2A), (3), (4) or (5A), references in this section to “employer” are to be read as having the meaning that it has for the purposes of the provision in question.

(6B) In this section a reference to an employer in relation to an occupational pension scheme includes a reference to a person who has been the employer in relation to the scheme.”

(7) In subsection (7), for “this section,” substitute “this section—

“the pensions legislation” means any enactment contained in or made by virtue of—

- (a) the Pension Schemes Act 1993,
- (b) Part 1 or section 33 or 45 of the Welfare Reform and Pensions Act 1999,
- (c) this Act,
- (d) Schedule 18 to the Pensions Act 2014, or
- (e) section 48 or 49 of the Pension Schemes Act 2015;”.