
STATUTORY INSTRUMENTS

1996 No. 1412 (C.26)

PENSIONS

The Pensions Act 1995 (Commencement No. 4) Order 1996

Made - - - - *31st May 1996*

The Secretary of State for Social Security, in exercise of the power conferred on him by section 180(1) of the Pensions Act 1995(1) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Pensions Act 1995 (Commencement No. 4) Order 1996.

(2) In this Order, references to “the Act” are references to the Pensions Act 1995 and, except where the context otherwise requires, references to sections and Schedules are references to sections of, and Schedules to, the Act.

Appointed days

2.—(1) The day appointed for the coming into force of the provisions specified in Part I of the Schedule to this Order, is 1st August 1996.

(2) The day appointed for the coming into force of the provisions specified in Part II of the Schedule to this Order, for the purpose only of authorising the making of regulations, is 1st June 1996.

(3) The day appointed for the coming into force of section 78(6) of the Act:—

- (a) for the purpose only of authorising the making of regulations, is 1st June 1996; and
- (b) for all other purposes, is 1st August 1996.

(4) The day appointed for the coming into force of Schedule 1 paragraph 13 of the Act and section 1(5) in so far as it relates to that paragraph, is 1st June 1996.

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Signed by authority of the Secretary of State for Social Security.

31st May 1996

Paul Evans
Parliamentary Under-Secretary of State,
Department of Social Security

SCHEDULE

Article 2

PART I

PROVISIONS OF THE ACT COMING INTO FORCE ON 1ST AUGUST 1996

Provisions of the Act	Subject matter
Section 78(1) to (3), (5) and (7)	establishment of the Pensions Compensation Board
section 85(3)(a)	investment of surplus funds held by the Pensions Compensation Board
Schedule 2 paragraphs 1 to 11, 13, 14(1) to (4), 16, 17, 18(1)(a) and (b), 19 and 20 and section 78(8) in so far as it relates to those paragraphs	Pensions Compensation Board

PART II

PROVISIONS OF THE ACT COMING INTO FORCE ON 1ST JUNE 1996 FOR THE PURPOSE ONLY OF AUTHORISING THE MAKING OF REGULATIONS

Provisions of the Act	Subject matter
section 10(1)	period for paying penalties
section 23	requirement for independent trustee
section 81(1)(c), (2) and (3)(f)(i)	cases where compensation provisions apply
section 82(1)	applications for payment
section 83(2) and (3)(a)	amount of compensation
section 84(1)(b), (2) and (3)	payments made in anticipation
section 86	modifications of compensation provisions
section 96(2) and (5)	review of decisions
section 155 in so far as not already in force for the purpose of making regulations	penalties for breach of regulations under the Pension Schemes Act 1993
section 157(2)	jurisdiction of the Pensions Ombudsman
section 158	payment of costs and expenses by the Pensions Ombudsman
section 160	interest on late payment of benefit
Schedule 5, paragraph 36 and section 151 in so far as it relates to that paragraph	investment and resources of schemes

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the coming into force of further provisions of the Pensions Act 1995 on the following dates—

- on 1st August 1996, for provisions relating to the establishment of the Pensions Compensation Board;
- on 1st June 1996, for the purpose only of authorising the making of certain regulations, in particular, under provisions relating to time limits for paying civil penalties, the requirement for an independent trustee, the Pensions Compensation Board, the proceedings of the Occupational Pensions Regulatory Authority and the review of its decisions and the jurisdiction of the Pensions Ombudsman and his powers as regards costs, expenses and interest.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions have been brought into force by the Pensions Act 1995 (Commencement No. 1) Order 1995 (S.I. [1995/2548](#)) (C.51), the Pensions Act 1995 (Commencement No. 2) Order 1995 (S.I. [1995/3104](#)) (C.71) or the Pensions Act 1995 (Commencement No. 3) Order 1996 (S.I. [1996/778](#)) (C.13).

Provision	Date of Commencement	S.I. No.
section 1(1) to (4) and (6)	1st April 1996	1996/778
section 1(5) (partially)	1st April 1996	1996/778
section 2	1st April 1996	1996/778
section 10(2) and (3) (partially)	6th April 1996	1996/778
sections 16 to 21 (partially)	6th April 1996	1996/778
section 27 (partially)	6th April 1996	1996/778
sections 32 and 33 (partially)	6th April 1996	1996/778
section 35 (partially)	6th April 1996	1996/778
sections 37 and 38 (partially)	6th April 1996	1996/778
section 39	1st January 1996	1995/3104
sections 40 and 41 (partially)	6th April 1996	1996/778
section 47 (partially)	6th April 1996	1996/778
sections 49 to 51 (partially)	6th April 1996	1996/778
sections 56 to 61 (partially)	6th April 1996	1996/778
sections 62 to 66 (partially)	4th December 1995	1995/3104
	1st January 1996	1995/3104

Provision	Date of Commencement	S.I. No.
sections 67 to 69 (partially)	6th April 1996	1996/778
section 73 (partially)	6th April 1996	1996/778
section 74(2), (3) and (5)(b) (partially)	6th April 1996	1996/778
sections 75 to 77 (partially)	6th April 1996	1996/778
sections 87 to 89 (partially)	6th April 1996	1996/778
section 90	2nd October 1995	1995/2548
sections 91 to 95 (partially)	6th April 1996	1996/778
section 117 (partially)	4th December 1995	1995/3104
(partially)	1st January 1996	1995/3104
section 119	6th April 1996	1996/778
section 120	4th December 1995	1995/3104
	1st January 1996	1995/3104
	6th April 1996	1996/778
section 121	4th December 1995	1995/3104
	6th April 1996	1996/778
section 122 (partially)	1st January 1996	1995/3104
section 123(3)	6th April 1996	1996/778
section 124	4th December 1995	1995/3104
	1st January 1996	1995/3104
	6th April 1996	1996/778
section 136 (partially)	6th April 1996	1996/778
section 137 (partially)	13th March 1996	1996/778
	6th April 1996	1996/778
section 138 (partially)	13th April 1996	1996/778
section 139 (partially)	6th April 1996	1996/778
section 140(1) (partially)	6th April 1996	1996/778
section 140(2)	13th March 1996	1996/778
	6th April 1996	1996/778
section 141 (partially)	6th April 1996	1996/778
sections 142 to 144	13th March 1996	1996/778
	6th April 1996	1996/778
section 146	13th March 1996	1996/778
	6th April 1996	1996/778
section 148	6th April 1996	1996/778

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Provision	Date of Commencement	S.I. No.
section 149 (partially)	1st June 1996	1996/778
sections 152 to 154 (partially)	6th April 1996	1996/778
section 155 (partially)	6th April 1996	1996/778
section 156	2nd October 1995	1995/2548
section 169	2nd October 1995	1995/2548
section 172	2nd October 1995	1995/2548
section 173 (partially)	2nd October 1995	1995/2548
	6th April 1996	1996/778
section 174	4th December 1995	1995/3014
	1st January 1996	1995/3104
	6th April 1996	1996/778
section 175	2nd October 1995	1995/2548
	4th December 1995	1995/3104
	1st January 1996	1995/3104
	6th April 1996	1996/778
section 176	6th April 1996	1996/778
section 177 (partially)	6th April 1996	1996/778
Schedule 1 paragraphs 1 to 12, 14 to 17, 19 and 20	1st April 1996	1996/778
Schedule 3 (partially)	1st January 1996	1995/3104
Schedule 5 (partially)	6th April 1996	1996/778
Schedule 6 paragraph 1	2nd October 1995	1995/2548
paragraphs 4, 5 and 6(c) and (e)	6th April 1996	1996/778
paragraph 9	6th April 1996	1996/778
Schedule 7 Part III (partially)	6th April 1996	1996/778
