
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.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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 |

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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 |