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STATUTORY INSTRUMENTS

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**2009 No. 809 C. 53**

**PENSIONS**

**The Pensions Act 2008 (Commencement No. 3 and Consequential Provisions) Order 2009**

*Made - - - - 26th March 2009*

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by sections 144(2) and (4) and 149(1) of the Pensions Act 2008<sup>(1)</sup>.

**Citation**

1. This Order may be cited as the Pensions Act 2008 (Commencement No. 3 and Consequential Provisions) Order 2009.

**Commencement of provisions**

2.—(1) The following provisions of the Pensions Act 2008 come into force on 1st April 2009—

- (a) section 122 in so far as it relates to the provisions listed in sub-paragraph (b) of this paragraph, and
- (b) in Schedule 8—
  - (i) paragraphs 1 to 9,
  - (ii) paragraph 13 for the purpose only of the insertion by paragraph 14 of paragraphs 25B to 25F of Schedule 7 to the Pensions Act 2004<sup>(2)</sup> (but not for the purpose of making regulations or any other purpose),
  - (iii) paragraph 14 except for the purpose of the deferral of compensation entitlement in the definition of “relevant age” in the inserted paragraph 25B, and
  - (iv) paragraphs 16 to 18.

(2) The following provisions of the Pensions Act 2008 come into force on 6th April 2009—

- (a) section 101(1) in so far as it relates to Part 2 of Schedule 2, and
- (b) Part 2 of Schedule 2.

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(1) 2008 c.30.  
(2) 2004 c.35.

### **Consequential provisions**

3.—(1) In the heading to regulation 15 of the Pension Protection Fund (Compensation) Regulations 2005(3) (manner of determining the revaluation percentage in certain cases), after “manner of determining the” insert “higher”.

(2) In regulation 15 of those Regulations, for “paragraph 17(4)(a)” substitute “paragraph (a) of the definition of “higher revaluation percentage” in paragraph 17(4)”.

(3) The amendments made by this article have effect from 6th April 2009.

Signed by authority of the Secretary of State for Work and Pensions.

26th March 2009

*Jonathan Shaw.*  
Parliamentary Under-Secretary of State,  
Department for Work and Pensions

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force provisions in the Pensions Act 2008 (c.30) (“the Act”) on 1st April 2009 and on 6th April 2009. These provisions relate to the Pension Protection Fund.

Article 3 amends the Pension Protection Fund (Compensation) Regulations 2005 (S.I. 2005/670) in consequence of Part 2 of Schedule 2 to the Act coming into force.

A full Impact Assessment has not been produced for this Order as no impact on the private or voluntary sectors is foreseen.

## NOTE ON EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Pensions Act 2008 are brought into force by Statutory Instruments which were made before this Order was made.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
sections 62 to 64	26th January 2009	2009/82
section 100	6th April 2009	2009/82
section 101 (partially)	6th April 2009	2009/82
section 124(2) and (6) (for the purposes only of section 286A of the Pensions Act 2004)	19th December 2008	2008/3241
section 128	26th January 2009	2009/82
section 130	6th April 2009	2009/82
section 132	26th January 2009	2009/82
section 138	26th January 2009	2009/82
section 139	6th April 2009	2009/82
section 148 (partially)	6th April 2009	2009/82
Schedule 2 Parts 1 and 3	6th April 2009	2009/82
Schedule 11 Part 2	6th April 2009	2009/82