



Pensions Act 2004

2004 CHAPTER 35

PART 1

THE PENSIONS REGULATOR

Reports

89 Publishing reports etc

- (1) The Regulator may, if it considers it appropriate to do so in any particular case, publish a report of the consideration given by it to the exercise of its functions in relation to that case and the results of that consideration.
- (2) The publication of a report under subsection (1) may be in such form and manner as the Regulator considers appropriate.
- (3) For the purposes of the law of defamation, the publication of any matter by the Regulator is privileged unless the publication is shown to be made with malice.
- [^{F1}(4) Before making a report under this section which relates to a public service pension scheme, the Regulator must notify the scheme manager.]

Textual Amendments

- F1** S. 89(4) inserted (1.4.2015) by [Public Service Pensions Act 2013 \(c. 25\)](#), s. 41(2), [Sch. 4 para. 11](#) (with [Sch. 11 para. 8](#)); [S.I. 2015/4](#), art. 4(1)(b)

Commencement Information

- 11** S. 89 in force at 6.4.2005 by [S.I. 2005/275](#), art. 2(7), [Sch. Pt. 7](#)

Status: Point in time view as at 13/12/2021.

Changes to legislation: Pensions Act 2004, Cross Heading: Reports is up to date with all changes known to be in force on or before 03 June 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)

[^{F2}89A Reports about misappropriation etc in public service pension schemes

- (1) If the Regulator has reasonable grounds to suspect or believe that a member of the pension board of a public service pension scheme—
 - (a) has misappropriated any assets of the scheme or is likely to do so, or
 - (b) has a conflict of interest in relation to investment of assets of the scheme,the Regulator must report the matter to the scheme manager.
- (2) For the purposes of the law of defamation, the reporting of any matter by the Regulator under subsection (1) is privileged unless the reporting is shown to be made with malice.
- (3) For the purposes of subsection (1)(b) a person does not have a conflict of interest in relation to investment of assets merely by virtue of membership of the scheme.]

Textual Amendments

- F2** S. 89A inserted (1.4.2015) by Public Service Pensions Act 2013 (c. 25), s. 41(2), Sch. 4 para. 12 (with Sch. 11 para. 8); S.I. 2015/4, art. 4(1)(b)

Status:

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Changes to legislation:

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