***Changes to legislation:** Pensions Act 2004, Paragraph 21 is up to date with all changes known to be in force on or before 02 July 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) View outstanding changes*

SCHEDULES

SCHEDULE 1

THE PENSIONS REGULATOR

PART 4

PROCEEDINGS AND DELEGATION ETC

Delegation

21 **[**[F1](1)**]** The Secretary of State may make regulations—

(a) limiting the extent to which any of the functions mentioned in subsection (8) of section 8 may be delegated by the committee established under that section to any of its members or any of its sub-committees under that subsection;

(b) limiting the extent to which any of the functions mentioned in subsection (9) of section 10 may be delegated by the Determinations Panel to any of its members or any of its sub-committees under that subsection;

(c) limiting the extent to which functions of the Regulator may be delegated under paragraph 20;

(d) limiting the delegation under paragraph 20 of any power to delegate contained in that paragraph;

[[F2](e) permitting the Regulator to authorise such persons, in such circumstances and under such arrangements, as the Regulator may determine, to exercise on behalf of the Regulator—

(i) the power to determine whether to exercise any of the functions listed in sub-paragraph (2);

(ii) the power to exercise any of the functions listed in sub-paragraph (2) or such other functions as may be prescribed.**]**

[[F3](2) The functions mentioned in sub-paragraph (1)(e) are—

(a) the power to issue an improvement notice under section 13;

(b) the power to issue a third party notice under section 14;

(c) the power to recover unpaid contributions under section 17;

(d) the power to require information under section 72;

[[F4](da) the power to issue a notice under section 72A;

(db) the power to issue a fixed penalty notice under section 77A;

(dc) the power to issue an escalating penalty notice under section 77B;

(dd) the power to require payment of a penalty under section 88A;**]**

(e) the power to vary or revoke a determination, order, notice or direction under section 101;

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[[F5](ea) the power to issue a compliance notice under regulations under section 238G;

(eb) the power to issue a third party compliance notice under regulations under section 238G;

(ec) the power to issue a penalty notice under regulations under section 238G;**]**

(f) the power to require payment of a penalty under section 10 of the Pensions Act 1995;

(g) the power to issue a compliance notice under section 35 of the Pensions Act 2008;

(h) the power to issue a third party compliance notice under section 36 of that Act;

(i) the power to issue an unpaid contributions notice under section 37 of that Act;

(j) the power to issue a fixed penalty notice under section 40 of that Act;

(k) the power to issue an escalating penalty notice under section 41 of that Act;

(l) the power to recover penalties under section 42 of that Act;

(m) the power to review a notice under section 43 of that Act;

(n) the power to issue a compliance notice in respect of prohibited recruitment conduct under section 51 of that Act;

(o) the power to issue a penalty notice in respect of prohibited recruitment conduct under section 52 of that Act.**]**

[[F6](p) the power to issue a fixed penalty notice under section 17 of the Pension Schemes Act 2017;

(q) the power to issue an escalating penalty notice under section 18 of that Act.**]**

Textual Amendments

F1 Sch. 1 para. 21 renumbered as Sch. 1 para. 21(1) (26.11.2008) by Pensions Act 2008 (c. 30), **ss. 133(2)**, 149(2) (with s. 133(6))

F2 Sch. 1 para. 21(1)(e) substituted (26.11.2008) by Pensions Act 2008 (c. 30), **ss. 133(3)**, 149(2) (with s. 133(6))

F3 Sch. 1 para. 21(2) inserted (26.11.2008) by Pensions Act 2008 (c. 30), **ss. 133(4)**, 149(2) (with s. 133(6))

F4 Sch. 1 para. 21(2)(da)-(dd) inserted (29.6.2022) by Pension Schemes Act 2021 (c. 1), s. 131(1), **Sch. 7 para. 13(2)**; S.I. 2022/721, regs. 1(2), 2(d)

F5 Sch. 1 para. 21(2)(ea)-(ec) inserted (11.2.2021 for specified purposes, 14.10.2022 in so far as not already in force) by Pension Schemes Act 2021 (c. 1), **ss. 119(5)**, 131(1)(3)(a); S.I. 2022/1044, reg. 2(b)

F6 Sch. 1 para. 21(2)(p)(q) inserted (29.6.2022) by Pension Schemes Act 2021 (c. 1), s. 131(1), **Sch. 7 para. 13(3)**; S.I. 2022/721, regs. 1(2), 2(d)

Commencement Information

I1 Sch. 1 para. 21 in force at 15.3.2005 for specified purposes by S.I. 2005/695, **art. 2(5)** (with arts. 4-6, Sch. 2, Sch. 3)

Changes to legislation:
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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18(5A) inserted by 2014 c. 19 s. 52(2)
- s. 18(6) words inserted by 2014 c. 19 s. 52(3)
- s. 18(8) words inserted by 2014 c. 19 s. 52(3)
- s. 23(1A) inserted by 2015 c. 8 Sch. 2 para. 26(3)
- s. 23(10A) inserted by 2015 c. 8 Sch. 2 para. 26(5)
- s. 38(1)-(1B) substituted for s. 38(1) by 2015 c. 8 Sch. 2 para. 27
- s. 38(7)(da) inserted by 2021 c. 1 s. 104(2)
- s. 43(1)-(1B) substituted for s. 43(1) by 2015 c. 8 Sch. 2 para. 28(2)
- s. 52(1)-(1B) substituted for s. 52(1) by 2015 c. 8 Sch. 2 para. 29
- s. 80(1)(a)(iib) inserted by 2021 c. 1 s. 109(3)
- s. 102(2)(a) words in s. 102(2) renumbered as s. 102(2)(a) by 2008 c. 30 s. 44(5)(a)
- s. 102(2)(b) inserted by 2008 c. 30 s. 44(5)(b)
- s. 103(1A) inserted by 2008 c. 30 s. 44(6)
- s. 117A inserted by 2008 c. 30 Sch. 10 para. 3
- s. 126(1)-(1B) substituted for s. 126(1) by 2015 c. 8 Sch. 2 para. 31
- s. 188(1)(ba) inserted by 2008 c. 30 Sch. 10 para. 6
- s. 189A inserted by 2008 c. 30 Sch. 10 para. 7
- s. 209(9) added by 2008 c. 30 Sch. 10 para. 8
- s. 291(4)(f) and word inserted by 2021 c. 1 Sch. 3 para. 19(b)
- s. 318(3)(a)(viii)-(x) inserted by 2015 c. 8 Sch. 2 para. 38(3)(a)
- s. 318(3)(b)(vi)-(viii) inserted by 2015 c. 8 Sch. 2 para. 38(3)(b)
- Sch. 4 para. 7(5)(b) inserted by 2008 c. 30 s. 44(8)(b)
- Sch. 4 para. 13(3) inserted by 2008 c. 30 s. 44(9)(b)
- Sch. 4 para. 7(5)(a) words in Sch. 4 para. 7(5) renumbered as Sch. 4 para. 7(5)(a) by 2008 c. 30 s. 44(8)(a)
- Sch. 7 para. 21(2)(c)-(cc) substituted for Sch. 7 para. 21(2)(b)(c) by 2008 c. 30 Sch. 8 para. 11 (This amendment not applied to legislation.gov.uk. Sch. 8 para. 10 (3.1.2012) omitted without ever being in force by virtue of 2011 c. 19, Sch. 4 para. 20; S.I. 2011/3034 art. 3(i)(iv))