

Status: Point in time view as at 29/06/2022.

Changes to legislation: Pensions Act 2004, Part 5 is up to date with all changes known to be in force on or before 15 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)

SCHEDULES

SCHEDULE 5

THE BOARD OF THE PENSION PROTECTION FUND

Modifications etc. (not altering text)

- C1** Sch. 5 modified (N.I.) (6.4.2005) by [The Pension Protection Fund \(Review and Reconsideration of Reviewable Matters\) Regulations \(Northern Ireland\) 2005 \(S.R. 2005/138\)](#), regs. 1(1), **26**

PART 5

STATUS AND LIABILITY ETC

Status

- 24 (1) The Board is not to be regarded—
- (a) as the servant or agent of the Crown, or
 - (b) as enjoying any status, privilege or immunity of the Crown.
- (2) Accordingly, the Board's property is not to be regarded as property of, or held on behalf of, the Crown.

Commencement Information

- I1** [Sch. 5 para. 24](#) in force at 17.12.2004 by [S.I. 2004/3350](#), art. 2, **Sch.**

Validity

- 25 The validity of any proceedings of the Board (including any proceedings of any of its committees or sub-committees) is not to be affected by—
- (a) any vacancy among the members of the Board or of any of its committees or sub-committees,
 - (b) any defect in the appointment of any member of the Board or of any of its committees or sub-committees, or
 - (c) any defect in the appointment of the Chief Executive.

Commencement Information

- I2** [Sch. 5 para. 25](#) in force at 17.12.2004 by [S.I. 2004/3350](#), art. 2, **Sch.**

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Disqualification

- 26 In Schedule 1 to the House of Commons Disqualification Act 1975 (c. 24), in Part 2 (bodies whose members are disqualified), at the appropriate place insert— “ The Board of the Pension Protection Fund. ”

Commencement Information

I3 Sch. 5 para. 26 in force at 17.12.2004 by S.I. 2004/3350, art. 2, Sch.

- 27 In Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (c. 25), in Part 2 (bodies whose members are disqualified), at the appropriate place insert — “ The Board of the Pension Protection Fund. ”

Commencement Information

I4 Sch. 5 para. 27 in force at 17.12.2004 by S.I. 2004/3350, art. 2, Sch.

The Superannuation Act 1972

- 28 (1) The persons to whom section 1 of the Superannuation Act 1972 (c. 11) (persons to or in respect of whom benefits may be provided by schemes under that section) applies are to include—
 the chairman of the Board
 the employees of the Board.
- (2) The Board must pay to the Minister for the Civil Service, at such times as he may direct, such sums as he may determine in respect of the increase attributable to subparagraph (1) in the sums payable out of money provided by Parliament under that Act.

Commencement Information

I5 Sch. 5 para. 28 in force at 17.12.2004 by S.I. 2004/3350, art. 2, Sch.

Exemption from liability in damages

- 29 (1) Neither the Board nor any person who is a member of the Board, a member of any of its committees or sub-committees, or a member of its staff is to be liable in damages for anything done or omitted in the exercise or purported exercise of the functions of the Board conferred by, or by virtue of, this or any other enactment.
- (2) Any person who is the Chief Executive of the Board is not to be liable in damages for anything done or omitted in the exercise or purported exercise of any function conferred on the Chief Executive by, or by virtue of, this Act or any provisions in force in Northern Ireland corresponding to this Act.
- (3) Any person who is a member of the committee established under section 112 or of any of its sub-committees is not to be liable in damages for anything done or omitted in the discharge or purported discharge of the duty to prepare a report under subsection (5) of that section on the discharge of the non-executive functions.

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- (4) Sub-paragraphs (1) to (3) do not apply—
- (a) if it is shown that the action or omission was in bad faith, or
 - (b) so as to prevent an award of damages made in respect of an act or omission on the ground that the act or omission was unlawful as a result of section 6(1) of the Human Rights Act 1998 (c. 42).
- (5) This paragraph does not prevent the Board being required to pay compensation on a direction of the PPF Ombudsman by virtue of regulations under section 213(1) or 214 or any provision in force in Northern Ireland corresponding to either of those provisions.

Commencement Information

- I6** Sch. 5 para. 29(1)-(4) in force at 17.12.2004 by S.I. 2004/3350, art. 2, Sch.
I7 Sch. 5 para. 29(5) in force at 21.7.2005 by S.I. 2005/1720, art. 2(6)(b)

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