



Pensions Act 2004

2004 CHAPTER 35

PART 4

FINANCIAL PLANNING FOR RETIREMENT

[^{F1}Pensions dashboards]

[^{F1}238E Information from occupational pension schemes: further provision

- (1) Regulations under section 238D(1) may make provision about—
 - (a) how pensions information is to be provided, including provision about the use of intermediaries;
 - (b) the involvement of the trustees or managers of a scheme in the arrangements for dealing with requests for information about pensions.
- (2) The provision made by virtue of subsection (1) may, in particular, require—
 - (a) the use of electronic communications;
 - (b) the use of facilities or services specified or of a description specified in the regulations;
 - (c) the provision of assistance in connection with the establishment, maintenance or management of such facilities or services;
 - (d) participation in, or compliance with, arrangements for establishing, maintaining or managing such facilities or services.
- (3) The facilities and services for which provision may be made by virtue of subsection (2)
 - (b) may include facilities or services with functions relating to—
 - (a) the transmission of information,
 - (b) verifying the identity of a person,
 - (c) identifying the occupational or personal pension scheme or schemes under which pensions are payable to or in respect of a particular individual,
 - (d) authenticating information transmitted by means of electronic communications, or

Changes to legislation: Pensions Act 2004, Section 238E is up to date with all changes known to be in force on or before 16 April 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

- (e) ensuring the security of information transmitted by means of electronic communications.
- (4) Regulations under subsection (2)(b) may impose requirements as regards a facility or service, including requirements about—
 - (a) compliance with standards, specifications or technical requirements published from time to time by—
 - (i) the Secretary of State,
 - (ii) the Money and Pensions Service, or
 - (iii) a person specified or of a description specified in the regulations;
 - (b) the provider of the facility or service being a person approved from time to time by—
 - (i) the Secretary of State,
 - (ii) the Money and Pensions Service, or
 - (iii) a person specified or of a description specified in the regulations.
- (5) Regulations under subsection (2)(d) may, in particular, require the trustees or managers—
 - (a) to cooperate with the Money and Pensions Service or other persons specified or of a description specified in the regulations;
 - (b) to coordinate activities with the Money and Pensions Service or other persons specified or of a description specified in the regulations.
- (6) Except as provided by subsection (7), regulations under section 238D(1) may provide for the processing of personal data in accordance with the regulations not to be in breach of—
 - (a) any obligation of confidence owed by the person processing the personal data, or
 - (b) any other restriction on the processing of personal data (however imposed).
- (7) Regulations under section 238D(1) are not to be read as authorising or requiring such processing of personal data as would contravene the data protection legislation (but in determining whether particular processing of data would do so, take into account the power conferred or duty imposed by the provision of regulations in question).]

Textual Amendments

- F1** Ss. 238D-238G 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(2), 131(1)(3)(a); S.I. 2022/1044, reg. 2(b)

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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\(i\)\(iv\)](#))