



# Pensions Act 2004

## 2004 CHAPTER 35

### PART 5

#### OCCUPATIONAL AND PERSONAL PENSION SCHEMES: MISCELLANEOUS PROVISIONS

##### *Restrictions on payment into occupational pension schemes*

#### **254 Representative of [<sup>F1</sup>non-UK] scheme to be treated as trustee**

- (1) In the case of an occupational pension scheme that has its main administration outside [<sup>F2</sup>the [<sup>F3</sup>United Kingdom]], a reference in pensions legislation to the trustees, or a trustee, of the scheme includes a person who is for the time being appointed by the trustees of the scheme to be a representative of the scheme for the purposes of this section.
- (2) Subsection (1) does not apply to a prescribed reference.
- (3) In subsection (1) “pensions legislation” means any enactment contained in or made by virtue of—
  - (a) the Pension Schemes Act 1993 (c. 48),
  - (b) the Pensions Act 1995,
  - (c) Parts 1 to 4 of the Welfare Reform and Pensions Act 1999 (c. 30), <sup>F4</sup>...
  - (d) this Act<sup>F5, F6</sup>...
  - (e) the Pension Schemes Act 2015<sup>F7</sup>, or
  - (f) Part 1 of the Pension Schemes Act 2021.]

#### **Textual Amendments**

- F1** Word in s. 254 heading substituted (31.12.2020) by [The Occupational and Personal Pension Schemes \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/192\)](#), regs. 1, **5(8)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in s. 254(1) substituted (26.11.2007) by [The Occupational Pension Schemes \(EEA States\) Regulations 2007 \(S.I. 2007/3014\)](#), regs. 1, **4(b)**

*Status: Point in time view as at 01/08/2022.*

*Changes to legislation: Pensions Act 2004, Section 254 is up to date with all changes known to be in force on or before 25 May 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)*

- F3** Words in s. 254(1) substituted (31.12.2020) by [The Occupational and Personal Pension Schemes \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/192), regs. 1, **5(8)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in s. 254(3)(c) omitted (6.4.2015) by virtue of [Pension Schemes Act 2015](#) (c. 8), s. 89(3)(a), **Sch. 2 para. 33(a)** (with s. 87)
- F5** S. 254(3)(e) and word inserted (6.4.2015) by [Pension Schemes Act 2015](#) (c. 8), s. 89(3)(a), **Sch. 2 para. 33(b)** (with s. 87)
- F6** Word in s. 254(3)(d) omitted (11.2.2021 for specified purposes, 1.8.2022 in so far as not already in force) by virtue of [Pension Schemes Act 2021](#) (c. 1), s. 131(1)(3)(a), **Sch. 3 para. 18(a)**; S.I. 2022/721, regs. 1(2), 3(a)
- F7** S. 254(3)(f) and word inserted (11.2.2021 for specified purposes, 1.8.2022 in so far as not already in force) by [Pension Schemes Act 2021](#) (c. 1), s. 131(1)(3)(a), **Sch. 3 para. 18(b)**; S.I. 2022/721, regs. 1(2), 3(a)

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#### **Commencement Information**

- I1** S. 254 in force at 6.4.2006 by [S.I. 2006/560](#), art. 2(3), **Sch. Pt. 3**

**Status:**

Point in time view as at 01/08/2022.

**Changes to legislation:**

Pensions Act 2004, Section 254 is up to date with all changes known to be in force on or before 25 May 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.