

PENSIONS ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 – the Pensions Regulator

Non-executive functions

Section 8: Non-executive functions

49. The Regulator must establish a committee to discharge the non-executive functions on its behalf. Only non-executive members of the Regulator may be members of that committee. The non-executive functions are: to keep under review whether the Regulator's internal financial controls secure the proper conduct of its financial affairs; and to determine the remuneration of the Chief Executive (with reference to *paragraph 8(4)(b) of Schedule 1*) which is subject to the approval of the Secretary of State.
50. The committee established under this section must prepare a report on the discharge of the non-executive functions for inclusion in the Regulator's annual report to the Secretary of State under *section 11* (annual reports to the Secretary of State). The report on the discharge of the non-executive functions must relate to the same period as that covered by the Regulator's annual report.
51. The committee established under *section 8* may establish sub-committees. The members of these sub-committees may include individuals who are not members of the committee or of the Regulator, but cannot include executive members or other staff of the Regulator.
52. The committee may authorise any of the non-executive functions to be discharged by any of its members or by any of its sub-committees on behalf of the committee. The Regulator can in accordance with *paragraph 20(1) of Schedule 1* also authorise the committee or any of its sub-committees to carry out further functions of the Regulator.