



Pensions Act 2007

2007 CHAPTER 22

PART 2

OCCUPATIONAL AND PERSONAL PENSION SCHEMES

Dispute resolution

16 Dispute resolution arrangements

- (1) Section 273 of the Pensions Act 2004 (c. 35), which substitutes new sections 50 to 50B for section 50 of the Pensions Act 1995 (c. 26), is amended as follows.
- (2) In subsection (1) of the new section 50 (requirement for dispute resolution arrangements) after “arrangements” insert “complying with the requirements of this section”.
- (3) In subsection (2) of that section, for “such arrangements as are required by this section” substitute “arrangements”.
- (4) After subsection (4) of that section insert—
 - “(4A) The dispute resolution arrangements may make provision for securing that an application for the resolution of a pension dispute may not be made to the trustees or managers unless—
 - (a) the matters in dispute have been previously referred to a person of a description specified in the arrangements (“the specified person”) in order for him to consider those matters, and
 - (b) the specified person has given his decision on those matters,and for enabling the specified person’s decision to be confirmed or replaced by the decision taken by the trustees or managers on the application, after reconsidering those matters.”
- (5) After subsection (5) of that section insert—

Status: This is the original version (as it was originally enacted).

- “(5A) In a case where a reference is made to the specified person in accordance with provision made under subsection (4A), subsection (5) applies in relation to the specified person as it applies in relation to the trustees or managers in a case where an application for the resolution of a pension dispute is made to them.”
- (6) In subsection (6) of that section, after “arrangements” insert “in pursuance of subsection (4)”.
- (7) In subsection (1) of the new section 50B (dispute resolution procedure) for “under section 50 must” substitute “in pursuance of section 50(4) must (in accordance with section 50(6))”.
- (8) For subsection (3) of that section substitute—
- “(3) The procedure—
- (a) must include provision requiring an application to which subsection (3A) applies to be made by the end of such reasonable period as is specified;
- (b) may include provision about the time limits for making such other applications for the resolution of pension disputes as are specified.
- (3A) This subsection applies to—
- (a) any application by a person with an interest in a scheme as mentioned in section 50A(1)(e), and
- (b) any application by a person with an interest in a scheme as mentioned in section 50A(1)(f) who is claiming to be such a person as is mentioned in section 50A(1)(e).”
- (9) In subsection (4) of that section, in paragraph (c), after “required” insert “in relation to such an application”.
- (10) After subsection (4) of that section insert—
- “(4A) The provision made under subsection (4)(c) may include provision for decisions of the trustees or managers to be taken on their behalf by one or more of their number.”