



# Pension Schemes Act 2021

## 2021 CHAPTER 1

### PART 1

#### COLLECTIVE MONEY PURCHASE BENEFITS

##### *Triggering events and continuity options*

#### 35 When a decision to withdraw authorisation becomes final

- (1) For the purposes of this Part, in relation to an item 1 or 2 triggering event, a decision to withdraw authorisation becomes final—
- (a) in the circumstances set out in relation to the event in the second column of the table in subsection (2), and
  - (b) on the date given in relation to those circumstances in the third column of that table.
- (2) The table is—

<i>Triggering event</i>	<i>Circumstances</i>	<i>Date</i>
Item 1 (issue of warning notice under the standard procedure)	(1) The Pensions Regulator makes a determination to withdraw the scheme's authorisation, and (2) there is no referral of the determination to the Tribunal within the time period allowed for doing so.	The date of the Pensions Regulator's determination.
Item 2 (issue of determination notice under the special procedure)	(1) On a review under section 99 of the Pensions Act 2004, the Pensions Regulator makes a determination that the scheme's authorisation should be withdrawn, and	The date of the Pensions Regulator's determination.

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*Status: Point in time view as at 30/11/2021. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Pension Schemes Act 2021, Section 35. (See end of Document for details)*

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- |             |   |   |
|-------------|---|---|
|             | <p>(2) there is no referral of the determination to the Tribunal within the time period allowed for doing so.</p>   |   |
| Item 1 or 2 | <p>(1) On a referral to the Tribunal of a determination by the Pensions Regulator, the Tribunal makes a determination the effect of which is that the scheme's authorisation should be withdrawn, and</p> <p>(2) either—</p> <p style="padding-left: 20px;">(a) no appeal is brought against the Tribunal's determination within the time period allowed for doing so, or</p> <p style="padding-left: 20px;">(b) an appeal is brought within that time period but is later withdrawn.</p> | <p>The date of the Tribunal's determination.</p>            |
| Item 1 or 2 | <p>The effect of an appeal against a determination by the Tribunal is that the scheme's authorisation should be withdrawn.</p>  | <p>The date on which the appeal is finally disposed of.</p> |

- (3) In this section “the Tribunal” has the meaning given in—
- (a) section 96(7) of the Pensions Act 2004, in a case where the standard procedure applies;
  - (b) section 99(13) of that Act, in a case where the special procedure applies.

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**Commencement Information**

**II** [S. 35](#) in force at Royal Assent for specified purposes, see [s. 131\(3\)\(a\)](#)

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**Changes to legislation:**

There are currently no known outstanding effects for the Pension Schemes Act 2021, Section 35.