
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes further provision for the coming into force of provisions of the Pensions Act 2004 (c. 35) (“the Act”).

Article 2(1) appoints the day for the coming into force of the provisions of the Act specified in Part 1 of the Schedule as 9th March 2006 for the purposes of conferring power to make regulations and 6th April 2006 for all other purposes. Those provisions are—

- section 249(2) (requirement for knowledge and understanding: supplementary);
- sections 250 and 251 (payment of surplus to employer and transitional power to amend scheme).

Article 2(2) appoints the day for the coming into force of the provisions of the Act specified in Part 2 of the Schedule as 1st April 2006. Those provisions are—

- section 151(8) (application for reconsideration: definition of “audited scheme accounts”), in so far as it is not already in force;
- section 173(1)(b) (pension protection fund), in so far as it is not already in force;
- section 177(9), in so far as it is not already in force (amount to be raised by the pension protection levies: definitions).

Article 2(3) appoints the day for the coming into force of the provisions of the Act specified in Part 3 of the Schedule as 6th April 2006. Those provisions include—

- section 18 (pension liberation: interpretation), in so far as it is not already in force;
- section 86 (disclosure for facilitating exercise of functions by other supervisory authorities), in so far as it is not already in force;
- section 160(7) (transfer notice), in so far as it is not already in force;
- section 165 (guaranteed minimum pensions);
- section 169(1) and (2)(a) to (c) (discharge of liabilities in respect of compensation);
- section 173(1)(a), and (f) and (3), in so far as it is not already in force (pension protection fund);
- section 204 (sections 190 to 203: interpretation);
- sections 247, 248 and 249, in so far as it is not already in force (requirement for knowledge and understanding: individual trustees, corporate trustees and supplementary);
- section 254 (representative of non-European scheme to be treated as a trustee);
- section 267 (voluntary contributions);
- section 268 (payments made by employers to personal pension schemes);
- section 306(2)(j) and (k), (4) and (5) (overriding requirements);
- section 321 (pre-consolidation amendments);
- Schedule 4, in so far as it is not already in force, and section 102 in so far as it is not already in force;
- Schedule 5, paragraph 18(2) (delegation), and section 109 in so far as it relates to that paragraph;

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provisions in Schedule 12 (minor and consequential amendments), and section 319(1) in so far as it relates to those provisions;

provisions in Schedule 13 (repeals), and section 320 in so far as it relates to those provisions.