



Pensions Act 1995

1995 CHAPTER 26

PART IV

MISCELLANEOUS AND GENERAL

Official and public service pensions

172 Information about public service schemes

(1) In prescribed circumstances, the Secretary of State may provide information to any prescribed person in connection with the following questions—

- (a) whether an individual who during any period—
 - (i) has been eligible to be an active member of an occupational pension scheme under the Superannuation Act 1972, but
 - (ii) has instead made contributions to a personal pension scheme, has suffered loss as a result of a contravention which is actionable under section 62 of the Financial Services Act 1986 (actions for damages in respect of contravention of rules etc. made under the Act), and
- (b) if so, what payment would need to be made to the occupational scheme in respect of the individual to restore the position to what it would have been if the individual had been an active member of the occupational scheme throughout the period in question,

and may impose on that person reasonable fees in respect of administrative expenses incurred in providing that information.

(2) Where—

- (a) such an individual as is mentioned in subsection (1) is admitted or readmitted as an active member of an occupational pension scheme under the Superannuation Act 1972, or
- (b) a payment is made to the Secretary of State in respect of such an individual for the purpose mentioned in paragraph (b) of that subsection,

Status: This is the original version (as it was originally enacted).

the Secretary of State may impose on any prescribed person reasonable fees in respect of administrative expenses incurred in connection with the admission, readmission or payment.

- (3) In the case of an occupational pension scheme under section 1 of the Superannuation Act 1972 (superannuation of civil servants), the references in subsections (1) and (2) to the Secretary of State shall be read as references to the Minister for the Civil Service, or such person as may be prescribed.
- (4) In the case of an occupational pension scheme under section 7 of the Superannuation Act 1972 (superannuation of persons employed in local government etc.), the references in subsections (1) and (2) to the Secretary of State shall be read as references to a prescribed person.
- (5) In this section—
 - “prescribed” means—
 - (i) in the case of a scheme made under section 1 of the Superannuation Act 1972, prescribed by a scheme made by the Minister for the Civil Service, or
 - (ii) in any other case, prescribed by regulations made by the Secretary of State, and
 - “active member”, in relation to an occupational pension scheme, has the same meaning as in Part I.