

# PENSIONS ACT 2004

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1 – the Pensions Regulator**

#### **Sections 38 to 56: partnerships and limited liability partnerships**

#### *Section 57: Sections 38 to 56: partnerships and limited liability partnerships*

211. *Subsection (1)* provides that for the purposes of *sections 38 to 56*, regulations may modify any of the definitions mentioned in *subsection (2)* in relation to a partnership or a partner in a partnership or a limited liability partnership or a member of such a partnership. *Subsection (3)* states that regulations may also provide that any provision of *sections 38 to 51* applies with such modifications as may be prescribed in relation to any case where a partnership is or was the employer in relation to an occupational pension scheme or connected with or an associate of the employer. Similarly regulations may also provide that any provision of *sections 38 to 51* applies with such modifications as may be prescribed in relation to any case where a limited liability partnership is the employer in relation to an occupational pension scheme or connected with or an associate of the employer.
212. *Subsection (4)* specifies that regulations may also provide that any provision of *sections 52 to 56* applies with such modifications as may be prescribed in relation to a partnership or a limited liability partnership. *Subsections (5)* and *(6)* define “partner”, “partnership”, and “limited liability partnership” and “member” of such a partnership. *Subsection (7)* stipulates that this section will not prejudice *section 307* (power to modify this Act in relation to certain categories of scheme) and *section 318(4)* (power to extend the meaning of “employer”).