



# Pensions Act 2004

## 2004 CHAPTER 35

### PART 1

#### THE PENSIONS REGULATOR

##### *Collecting information relevant to the Board of the Pension Protection Fund*

#### **68 Information relevant to the Board**

The Regulator may collect any information which appears to it to be relevant to the exercise of the functions of the Board of the Pension Protection Fund.

#### **69 Duty to notify the Regulator of certain events**

- (1) Except where the Regulator otherwise directs, the appropriate person must give notice of any notifiable event to the Regulator.
- (2) In subsection (1) “notifiable event” means—
  - (a) a prescribed event in respect of an eligible scheme, or
  - (b) a prescribed event in respect of the employer in relation to an eligible scheme.
- (3) For the purposes of subsection (1)—
  - (a) in the case of an event within subsection (2)(a), each of the following is “the appropriate person”—
    - (i) the trustees or managers of the scheme,
    - (ii) a person of a prescribed description, and
  - (b) in relation to an event within subsection (2)(b), each of the following is “the appropriate person”—
    - (i) the employer in relation to the scheme,
    - (ii) a person of a prescribed description.
- (4) A notice under subsection (1)—
  - (a) must be in writing, and

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*Status: This is the original version (as it was originally enacted).*

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- (b) subject to subsection (5), must be given as soon as reasonably practicable after the person giving it becomes aware of the notifiable event.
- (5) Regulations may require a notice under subsection (1) to be given before the beginning of the prescribed period ending with the notifiable event in question.
- (6) No duty to which a person is subject is to be regarded as contravened merely because of any information or opinion contained in a notice under this section.
- This is subject to section 311 (protected items).
- (7) Where the trustees or managers of a scheme fail to comply with an obligation imposed on them by subsection (1), section 10 of the Pensions Act 1995 (c. 26) (civil penalties) applies in relation to any trustee or manager who has failed to take all reasonable steps to secure compliance with that subsection.
- (8) That section also applies to any other person who, without reasonable excuse, fails to comply with an obligation imposed on him by subsection (1).
- (9) In this section—  
“eligible scheme” has the meaning given by section 126;  
“event” includes a failure to act.