



# Pensions Act 2004

## 2004 CHAPTER 35

### PART 9

#### MISCELLANEOUS AND SUPPLEMENTARY

##### *Miscellaneous and supplementary*

### 323 Extent

- (1) Subject to the following provisions, this Act extends to England, Wales and Scotland.
- (2) The following provisions of this Act also extend to Northern Ireland—
  - (a) in Part 1 (the Regulator)—
    - (i) sections 1, 2, 4 (other than subsection (2)(b)), 8, 9, 11, 59, 102 and 106,
    - (ii) in Schedule 1, paragraphs 1 to 19, 20(1) to (3) and (7), 21 (other than paragraph (b)), 22 to 25 and 27 to 35, and section 3 so far as it relates to those provisions, and
    - (iii) Schedule 4,
  - (b) in Part 2 (the Board)—
    - (i) sections 107, 108, 109, 110(1) and (3), 112, 113, 114, 115, 118, 119, 161(2)(a), (3) and (5) to (8), 173, 188, 209 (other than paragraphs (b) to (d), (f) and (g) of subsection (4), subsection (6) so far as relating to any of those paragraphs and subsections (7) and (8)), 210, 211(3) and (4), 212 and 220,
    - (ii) section 111 so far as that provision has effect in relation to functions of the Board conferred by any provision of, or made under, this Act which extends to Northern Ireland,
    - (iii) Schedule 5 (other than paragraph 18), and
    - (iv) Schedule 6 (other than paragraph 7),
  - (c) in Part 4 (retirement planning), sections 234 and 235 and [<sup>F1</sup>paragraphs 2 and 4] of Schedule 10 (and section 236 so far as it relates to [<sup>F2</sup>those paragraphs]),

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**Changes to legislation:** *Pensions Act 2004, Section 323 is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (d) in Part 5 (personal and occupational pension schemes: miscellaneous provisions), sections 274 and 277(2)(b),
  - (e) Part 6 (financial assistance scheme for members of certain pension schemes),
  - (f) in Part 8 (state pensions), section 299, and
  - (g) in this Part—
    - (i) sections 300(1) and (2), 301, 302(1) and (2), 307, 308 and 310,
    - (ii) sections 303 to 306, 309, 313, 315, 316 and 318 so far as those provisions have effect for the purposes of provisions which themselves extend to Northern Ireland, and
    - (iii) this section and sections 319(2), 321, 322, 324 and 325.
- (3) Section 106 (legal assistance scheme) does not extend to Scotland.
- (4) An amendment or repeal contained in this Act has the same extent as the enactment to which it relates and sections 236 (except so far as it relates to <sup>F3</sup>paragraphs 2 and 4] of Schedule 10), 319(1) and 320 have effect accordingly.

#### **Textual Amendments**

- F1** Words in s. 323(2)(c) substituted (26.1.2009) by [Pensions Act 2008 \(c. 30\)](#), **ss. 63(3)(a)**, 149(1); S.I. 2009/82, art. 2(1)(a)
- F2** Words in s. 323(2)(c) substituted (26.1.2009) by [Pensions Act 2008 \(c. 30\)](#), **ss. 63(3)(b)**, 149(1); S.I. 2009/82, art. 2(1)(a)
- F3** Words in s. 323(4) substituted (26.1.2009) by [Pensions Act 2008 \(c. 30\)](#), **ss. 63(4)**, 149(1); S.I. 2009/82, art. 2(1)(a)

**Changes to legislation:**

Pensions Act 2004, Section 323 is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

View outstanding changes

**Changes and effects yet to be applied to :**

- s. 323(2)(b)(i) words substituted by 2008 c. 30 Sch. 10 para. 9

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18(5A) inserted by 2014 c. 19 s. 52(2)
- s. 18(6) words inserted by 2014 c. 19 s. 52(3)
- s. 18(8) words inserted by 2014 c. 19 s. 52(3)
- s. 23(1A) inserted by 2015 c. 8 Sch. 2 para. 26(3)
- s. 23(10A) inserted by 2015 c. 8 Sch. 2 para. 26(5)
- s. 38(1)-(1B) substituted for s. 38(1) by 2015 c. 8 Sch. 2 para. 27
- s. 38(7)(da) inserted by 2021 c. 1 s. 104(2)
- s. 43(1)-(1B) substituted for s. 43(1) by 2015 c. 8 Sch. 2 para. 28(2)
- s. 52(1)-(1B) substituted for s. 52(1) by 2015 c. 8 Sch. 2 para. 29
- s. 80(1)(a)(iib) inserted by 2021 c. 1 s. 109(3)
- s. 102(2)(a) words in s. 102(2) renumbered as s. 102(2)(a) by 2008 c. 30 s. 44(5)(a)
- s. 102(2)(b) inserted by 2008 c. 30 s. 44(5)(b)
- s. 103(1A) inserted by 2008 c. 30 s. 44(6)
- s. 117A inserted by 2008 c. 30 Sch. 10 para. 3
- s. 126(1)-(1B) substituted for s. 126(1) by 2015 c. 8 Sch. 2 para. 31
- s. 188(1)(ba) inserted by 2008 c. 30 Sch. 10 para. 6
- s. 189A inserted by 2008 c. 30 Sch. 10 para. 7
- s. 209(9) added by 2008 c. 30 Sch. 10 para. 8
- s. 291(4)(f) and word inserted by 2021 c. 1 Sch. 3 para. 19(b)
- s. 318(3)(a)(viii)-(x) inserted by 2015 c. 8 Sch. 2 para. 38(3)(a)
- s. 318(3)(b)(vi)-(viii) inserted by 2015 c. 8 Sch. 2 para. 38(3)(b)
- Sch. 4 para. 7(5)(b) inserted by 2008 c. 30 s. 44(8)(b)
- Sch. 4 para. 13(3) inserted by 2008 c. 30 s. 44(9)(b)
- Sch. 4 para. 7(5)(a) words in Sch. 4 para. 7(5) renumbered as Sch. 4 para. 7(5)(a) by 2008 c. 30 s. 44(8)(a)
- Sch. 7 para. 21(2)(c)-(cc) substituted for Sch. 7 para. 21(2)(b)(c) by 2008 c. 30 Sch. 8 para. 11 (This amendment not applied to legislation.gov.uk. Sch. 8 para. 10 (3.1.2012) omitted without ever being in force by virtue of 2011 c. 19, Sch. 4 para. 20; S.I. 2011/3034 art. 3(i)(iv))