



Pensions Act 2004

2004 CHAPTER 35

PART 1

THE PENSIONS REGULATOR

Transactions at an undervalue

55 Contribution notice where failure to comply with restoration order

- (1) This section applies where—
 - (a) a restoration order is made under section 52 in respect of a transaction involving assets of a scheme (“the transaction”), and
 - (b) a person fails to comply with an obligation imposed on him by the order which is not an obligation to transfer or pay a sum of money.
- (2) The Regulator may issue a notice to the person stating that the person is under a liability to pay the sum specified in the notice (a “contribution notice”)—
 - (a) to the trustees or managers of the scheme, or
 - (b) where the Board of the Pension Protection Fund has assumed responsibility for the scheme in accordance with Chapter 3 of Part 2 (pension protection), to the Board.
- (3) The sum specified by the Regulator in a contribution notice may be either the whole or a specified part of the shortfall sum in relation to the scheme.
- (4) The shortfall sum in relation to the scheme is the amount which the Regulator estimates to be the amount of the decrease in the value of the assets of the scheme as a result of the transaction having been entered into.