

*These notes refer to the Pensions Act 2008 (c.30)
which received Royal Assent on 26 November 2008*

PENSIONS ACT 2008

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6: General

Section 146: Pre consolidation amendments

469. This section (in association with the repeal of section 321 of the PA 2004 by Part 6 of Schedule 10 to the Act) re-enacts a pre-consolidation order making power so that legislation made subsequent to the passing of the 2004 Act can also be included within the scope of such an order.
470. *Subsection (1)* provides a power to modify enactments listed in *subsection (2)* where in the opinion of the Secretary of State such modifications facilitate, or are desirable in connection with, the consolidation of any of those enactments.
471. *Subsection (3)* specifies that no order may be made unless a Bill consolidating the relevant enactments has been presented to either House of Parliament.
472. *Subsection (4)* provides that a pre-consolidation order made under this power may be brought into effect only by a provision contained in the Act which results from the consolidating Act.
473. *Subsection (5)* excludes from the scope of an order made under this power any provision which would fall within the legislative competence of the Scottish Parliament.