



# Pensions Act 2004

## 2004 CHAPTER 35

### PART 2

#### THE BOARD OF THE PENSION PROTECTION FUND

### CHAPTER 5

#### GATHERING INFORMATION

##### *Provision of information to members of schemes etc*

#### **203 Provision of information to members of schemes etc**

- (1) Regulations may—
  - (a) require the Board to provide information of prescribed descriptions to such persons as may be prescribed at prescribed times, or
  - (b) require trustees or managers of occupational pension schemes to provide such information—
    - (i) relating to the exercise of the Board's functions in relation to any scheme of which they are trustees or managers,
    - (ii) relating to any notice issued or application or determination made under Chapter 2, 3 or 4 which relates to any such scheme, or
    - (iii) otherwise relating to the Board's involvement with any such scheme, as may be prescribed to prescribed persons at prescribed times or in prescribed circumstances.
- (2) Section 197 does not preclude the disclosure of restricted information by the Board which relates to the entitlement of a particular individual to compensation under Chapter 3 if the disclosure is made to that individual or to a person authorised by him.
- (3) Section 197 does not preclude the disclosure of restricted information by the Board if—

*Status: Point in time view as at 10/02/2005.*

*Changes to legislation: Pensions Act 2004, Cross Heading: Provision of information to members of schemes etc is up to date with all changes known to be in force on or before 26 July 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)*

- (a) the information relates to the exercise of the Board’s functions in relation to an occupational pension scheme,
  - (b) the disclosure is made to—
    - (i) all affected persons, or
    - (ii) all affected persons of a particular description, and
  - (c) the Board is satisfied that, in all the circumstances, it is reasonable to make the disclosure.
- (4) In subsection (3) “affected person”, in relation to an occupational pension scheme, means a person—
- (a) who is a member of the scheme, or
  - (b) who is for the time being nominated by a member of the scheme for the purposes of that subsection.
- (5) A nomination by a member of the scheme under subsection (4)(b)—
- (a) may be made by notice in writing given by the member,
  - (b) becomes effective when the notice is received by the Board, and
  - (c) ceases to be effective when the Board receives a further notice from the member withdrawing the nomination.
- (6) In the case of an occupational pension scheme, section 197 does not preclude the disclosure of restricted information by the Board if—
- (a) the disclosure is made to any of the following in relation to the scheme—
    - (i) a trustee or manager,
    - (ii) any professional adviser,
    - (iii) the employer,
    - (iv) the insolvency practitioner in relation to the employer,
  - (b) the information is relevant to the exercise of that person’s functions in relation to the scheme, and
  - (c) the Board considers that it is reasonable in all the circumstances to make the disclosure for the purpose of facilitating the exercise of those functions.

#### **Commencement Information**

- II** S. 203(1) in force for the purpose only of conferring power to make regulations, orders or rules, as the case may be, 10.2.2005; and for all other purposes at 6.4.2005 in so far as not already in force by [S.I. 2005/275](#), art. 2(3), [Sch. Pt. 3](#)

**Status:**

Point in time view as at 10/02/2005.

**Changes to legislation:**

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