



# Pensions Act 2004

## 2004 CHAPTER 35

### PART 2

#### THE BOARD OF THE PENSION PROTECTION FUND

### CHAPTER 6

#### REVIEWS, APPEALS AND MALADMINISTRATION

##### *The PPF Ombudsman*

#### **209 The Ombudsman for the Board of the Pension Protection Fund**

- (1) There is to be a commissioner to be known as the Ombudsman for the Board of the Pension Protection Fund (in this Act referred to as “the PPF Ombudsman”).
- (2) The PPF Ombudsman is to be appointed by the Secretary of State on such terms and conditions as are determined by the Secretary of State.
- (3) The PPF Ombudsman—
  - (a) is to hold and vacate office in accordance with the terms and conditions of his appointment, and
  - (b) may resign or be removed from office in accordance with those terms and conditions.
- (4) The Secretary of State may by order make provision—
  - (a) about the payment, or provision for payment, of remuneration, compensation for loss of office, pension, allowances or gratuities to or in respect of the PPF Ombudsman;
  - (b) about the reimbursement of the PPF Ombudsman in respect of any expenses incurred by him in the performance of his functions;
  - (c) about the staff of the PPF Ombudsman and the provision of facilities (including additional staff) to him;

*Status: Point in time view as at 30/03/2006.*

*Changes to legislation: Pensions Act 2004, Section 209 is up to date with all changes known to be in force on or before 09 September 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)*

- (d) about the delegation of the functions of the PPF Ombudsman to his staff or to any such additional staff;
  - (e) authorising the PPF Ombudsman—
    - (i) to charge such fees as are specified in the order;
    - (ii) to charge fees sufficient to meet such costs as are specified in the order;
  - (f) conferring powers to enable the PPF Ombudsman to obtain such information and documents as he may require for the performance of his functions;
  - (g) about restrictions on the disclosure of information held by him.
- (5) An order under subsection (4)(e)—
- (a) may prescribe, or authorise the PPF Ombudsman to determine, the time at which any fee is due, and
  - (b) provide that any fee which is owed to the PPF Ombudsman by virtue of an order under subsection (4)(e) may be recovered as a debt due to the PPF Ombudsman.
- (6) The Secretary of State must pay to the PPF Ombudsman out of money provided by Parliament such sums as may be required to be paid by the Secretary of State to or in respect of the PPF Ombudsman by virtue of an order under subsection (4).
- (7) Regulations may provide for the imposition of a levy in respect of eligible schemes for the purpose of meeting expenditure of the Secretary of State under subsection (6).
- (8) Where regulations make such provision, subsections (2), (3), (5), (6) and (7) of section 117 (administration levy) apply in relation to the levy as they apply in relation to an administration levy (within the meaning of that section), except that in subsection (7) the reference to subsection (1) of that section is to be read as a reference to subsection (7) of this section.

#### **Modifications etc. (not altering text)**

- C1** Pt. 2 modified in part (9.3.2005 for specified purposes, 1.4.2005 for specified purposes, 6.4.2005 in so far as not already in force (except ch. 4)) by [The Pension Protection Fund \(Multi-employer Schemes\) \(Modification\) Regulations 2005 \(S.I. 2005/441\)](#), regs. 1, **2-60**, 71, 72
- C2** Pt. 2 modified (8.3.2005 for specified purposes, 6.4.2005 in so far as not already in force) by [The Pension Protection Fund \(Partially Guaranteed Schemes\) \(Modification\) Regulations 2005 \(S.I. 2005/277\)](#), regs. 1(1), **2-11**
- C3** S. 209(4)(d) applied (with modifications) (24.11.2005) by [The Financial Assistance Scheme \(Modifications and Miscellaneous Amendments\) Regulations 2005 \(S.I. 2005/3256\)](#), regs. 1(1), **2**, 3(1)(a)
- C4** S. 209(4)(f) applied (with modifications) (24.11.2005) by [The Financial Assistance Scheme \(Modifications and Miscellaneous Amendments\) Regulations 2005 \(S.I. 2005/3256\)](#), regs. 1(1), **2**, 3(1)(b)
- C5** S. 209(4)(g) applied (with modifications) (24.11.2005) by [The Financial Assistance Scheme \(Modifications and Miscellaneous Amendments\) Regulations 2005 \(S.I. 2005/3256\)](#), regs. 1(1), **2**, 3(1)(c)

#### **Commencement Information**

- I1** S. 209(1)-(3) in force at 17.12.2004 by [S.I. 2004/3350](#), art. 2, **Sch.**

---

**Status:** Point in time view as at 30/03/2006.

**Changes to legislation:** Pensions Act 2004, Section 209 is up to date with all changes known to be in force on or before 09 September 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)

---

- I2** S. 209(4)(a)-(d)(f)(g) 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**
- I3** S. 209(6) in force at 6.4.2005 by [S.I. 2005/275, art. 2\(7\)](#), **Sch. Pt. 7**
- I4** S. 209(7)(8) in force at 10.2.2005 for specified purposes and at 1.4.2005 in so far as not already in force by [S.I. 2005/275, art. 2\(2\)](#), **Sch. Pt. 2**

**Status:**

Point in time view as at 30/03/2006.

**Changes to legislation:**

Pensions Act 2004, Section 209 is up to date with all changes known to be in force on or before 09 September 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.