



Pension Schemes Act 1993

1993 CHAPTER 48

PART VI

FURTHER REQUIREMENTS FOR PROTECTION OF SCHEME MEMBERS

115 Powers as respects failure to comply with information requirements.

- (1) If the trustees or managers of an occupational pension scheme or a personal pension scheme, having made default in complying with regulations under section 113 [^{F1}, 113B] or 114(1)(b), fail to make good the default within 14 days after the service on them of a notice requiring them to do so, an order may be made under this subsection.
- (2) The Secretary of State may by regulations specify forms for notices under subsection (1).
- (3) An order under subsection (1) is an order directing the trustees or managers to make good the default within such time as may be specified in the order.
- (4) The power to make such an order shall be exercisable by the appropriate court on the application of any person mentioned in subsection (5).
- (5) The persons referred to in subsection (4) are—
 - (a) the Secretary of State;
 - (b) any person authorised by the Secretary of State to make an application under this section; and
 - (c) any aggrieved person.
- (6) In this section “the appropriate court” means—
 - (a) in England and Wales, [^{F2}the county court]; and
 - (b) in Scotland, the sheriff.
- (7) An application to the sheriff shall be made by summary application.
- (8) An order under this section may provide that all costs (or, in Scotland, expenses) of and incidental to the application shall be borne personally by any of the trustees or managers of the scheme.

Status: Point in time view as at 05/07/2021. This version of this provision has been superseded.

Changes to legislation: Pension Schemes Act 1993, Section 115 is up to date with all changes known to be in force on or before 30 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)

Textual Amendments

- F1** Word in s. 115(1) inserted (5.7.2021 for specified purposes) by [Financial Guidance and Claims Act 2018 \(c. 10\)](#), [ss. 19\(3\)](#), 37(5); S.I. 2021/764, reg. 2(e)
- F2** Words in s. 115(6)(a) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 52](#); S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
-

Commencement Information

- I1** Ss. 1-187 in force at 7.2.1994 by [S.I. 1994/86](#), [art. 2](#)

Status:

Point in time view as at 05/07/2021. This version of this provision has been superseded.

Changes to legislation:

Pension Schemes Act 1993, Section 115 is up to date with all changes known to be in force on or before 30 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.