



Pension Schemes Act 1993

1993 CHAPTER 48

PART XI

GENERAL AND MISCELLANEOUS PROVISIONS

Financial provisions

175 [^{F1}Levies towards certain expenditure]

[^{F1}(1) For the purpose of meeting expenditure—

- (a) under section 6,
- (b) under Part X and section 174, ^{F2}...

[^{F3}(c) of the Regulatory Authority (including the establishment of the Authority under the Pensions Act 2004), or

- (d) of the Lord Chancellor in meeting the costs of the legal assistance scheme established by virtue of section 106 of the Pensions Act 2004 (legal assistance in connection with proceedings before the Pensions Regulator Tribunal),]

regulations may make provision for imposing levies in respect of prescribed occupational or prescribed personal pension schemes.

(2) Any levy imposed under subsection (1) is payable to the Secretary of State by or on behalf of—

- (a) the administrators of any prescribed public service pension scheme,
- (b) the trustees or managers of any other prescribed occupational or prescribed personal pension scheme, or
- (c) any other prescribed person,

at prescribed rates and at prescribed times.

(3) Regulations made by virtue of subsection (1)—

- (a) in determining the amount of any levy in respect of the Regulatory Authority, must take account (among other things) of [^{F4}—

Status: Point in time view as at 06/04/2005. This version of this provision has been superseded.

Changes to legislation: Pension Schemes Act 1993, Section 175 is up to date with all changes known to be in force on or before 20 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)

- (i) any amounts paid to the Secretary of State under section 168(4) of this Act or section 10 of the Pensions Act 1995 (civil penalties), and
 - (ii) any fees paid to the Authority under paragraph 25 of Schedule 1 to the Pensions Act 2004 (fees for certain applications), and]
 - (b) in determining the amount of expenditure in respect of which any levy is to be imposed, may take one year with another and, accordingly, may have regard to expenditure estimated to be incurred in current or future periods and to actual expenditure incurred in previous periods (including periods ending before the coming into force of this subsection).
- ^{F5}(4)
- ^{F5}(5)
- ^{F5}(6)
- ^{F5}(7)
- [^{F6}(8) An amount payable by a person on account of a levy imposed under this section shall be a debt due from him to the Secretary of State, and an amount so payable shall be recoverable by the Secretary of State accordingly or, if the Secretary of State so determines, by the Regulatory Authority on his behalf.]
- (9) Without prejudice to the generality of [^{F7}subsection (1)], regulations under this section may include provision relating to—
- (a) the collection and recovery of amounts payable by way of levy under this section, or
 - (b) the circumstances in which any such amount may be waived.]

Textual Amendments

- F1** S. 175 substituted (16.10.1996 for specified purposes, 1.4.1997 in so far as not already in force) by [Pensions Act 1995 \(c. 26\)](#), **ss. 165**, 180(1); [S.I. 1996/2637](#), art. 3(c); [S.I. 1997/664](#), art. 2(2), [Sch. Pt. 1](#)
- F2** Word in [s. 175\(1\)\(b\)](#) repealed (10.2.2005 for specified purposes, 1.4.2005 in so far as not already in force) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), [Sch. 1 para. 26\(2\)](#), **Sch. 13**; [S.I. 2005/275](#), arts., 2(2)(a), [Sch. Pt. 2](#) (with transitional provisions and savings in [S.I. 2005/695](#), arts. 5(8), 6, [Schs. 2, 3](#) (as amended by [S.I. 2005/1108](#), [art. 3\(b\)](#)))
- F3** [S. 175\(1\)\(c\)\(d\)](#) substituted for [s. 175\(1\)\(c\)](#) (10.2.2005 for specified purposes, 1.4.2005 in so far as not already in force) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 1 para. 26(2)**; [S.I. 2005/275](#), arts., 2(2)(a), [Sch. Pt. 2](#) (with transitional provisions and savings in [S.I. 2005/695](#), arts. 5(8), 6, [Schs. 2, 3](#) (as amended by [S.I. 2005/1108](#), [art. 3\(b\)](#)))
- F4** [S. 175\(3\)\(a\)\(i\)\(ii\)](#) substituted for words (10.2.2005 for specified purposes, 1.4.2005 in so far as not already in force) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 1 para. 26(3)** (with [s. 313](#)); [S.I. 2005/275](#), arts., 2(2)(a), [Sch. Pt. 2](#) (with transitional provisions and savings in [S.I. 2005/695](#), arts. 5(8), 6, [Schs. 2, 3](#) (as amended by [S.I. 2005/1108](#), [art. 3\(b\)](#)))
- F5** [S. 175\(4\)-\(7\)](#) repealed (10.2.2005 for specified purposes, 1.4.2005 in so far as not already in force) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 13**; [S.I. 2005/275](#), art. 2(2)(a), [Sch. Pt. 2](#) (with transitional provisions and savings in [S.I. 2005/695](#), arts. 5(8), 6, [Schs. 2, 3](#) (as amended by [S.I. 2005/1108](#), [art. 3\(b\)](#)))
- F6** [S. 175\(8\)](#) substituted (10.2.2005 for specified purposes, 1.4.2005 in so far as not already in force) by [Pensions Act 2004 \(c. 35\)](#), s. 322(1), **Sch. 12 para. 28(a)**; [S.I. 2005/275](#), art. 2(2)(a), [Sch. Pt. 2](#) (with [art. 4](#)) (with transitional provisions and savings in [S.I. 2005/695](#), arts. 5(8), 6, [Schs. 2, 3](#) (as amended by [S.I. 2005/1108](#), [art. 3\(b\)](#)))

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- F7** Words in s. 175(9) substituted (10.2.2005 for specified purposes, 1.4.2005 in so far as not already in force) by Pensions Act 2004 (c. 35), s. 322(1), **Sch. 12 para. 28(b)**; S.I. 2005/275, art. 2(2)(a), Sch. Pt. 2 (with transitional provisions and savings in S.I. 2005/695, arts. 5(8), 6, Schs. 2, 3 (as amended by S.I. 2005/1108, art. 3(b))

Modifications etc. (not altering text)

- C1** S. 175(4)-(9) applied (with modifications) (11.11.1999 for specified purposes, 1.10.2000 in so far as not already in force) by Welfare Reform and Pensions Act 1999 (c. 30), s. 89(5)(a), Sch. 1 para. 1(1)(2)(a); S.I. 2000/1047, art. 2(2)(c), Sch. Pt. 3
- C2** S. 175 savings for effects of 2004 c. 35, Sch. 1 para. 26 Sch. 12 para. 28 Sch. 13 (6.4.2005) by The Pensions Act 2004 (Commencement No. 3, Transitional Provisions and Amendment) Order 2005 (S.I. 2005/695), arts. 5(3), 6, **Sch. 3**
- C3** S. 175 transitional provisions for effects of 2004 c. 35, Sch. 12 para. 28 (6.4.2005) by The Pensions Act 2004 (Commencement No. 3, Transitional Provisions and Amendment) Order 2005 (S.I. 2005/695), art. 5(8), **Sch. 2 para. 1**

Commencement Information

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

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