

Status: Point in time view as at 06/04/2005.

Changes to legislation: Pensions Act 2004, Cross Heading: Evidence is up to date with all changes known to be in force on or before 09 June 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)

SCHEDULES

SCHEDULE 4

THE PENSIONS REGULATOR TRIBUNAL

PART 3

TRIBUNAL PROCEDURE

Evidence

- 11 (1) The Tribunal may by summons require any person to attend, at such time and place as is specified in the summons, to give evidence or to produce any document in his custody or under his control which the Tribunal considers it necessary to examine.
- (2) The Tribunal may—
- (a) take evidence on oath and for that purpose administer oaths, or
 - (b) instead of administering an oath, require the person examined to make and subscribe a declaration of the truth of the matters in respect of which he is examined.
- (3) A person who without reasonable excuse refuses or fails—
- (a) to attend following the issue of a summons by the Tribunal, or
 - (b) to give evidence,
- is guilty of an offence.
- (4) A person guilty of an offence under sub-paragraph (3) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (5) A person who without reasonable excuse—
- (a) alters, suppresses, conceals or destroys a document which he is or is liable to be required to produce for the purposes of proceedings before the Tribunal, or
 - (b) refuses to produce a document when so required,
- is guilty of an offence.
- (6) A person guilty of an offence under sub-paragraph (5) is liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both.
- (7) In this paragraph “document” includes information recorded in any form and, in relation to information recorded otherwise than in a legible form, references to its production include references to producing a copy of the information—
- (a) in a legible form, or
 - (b) in a form from which it can readily be produced in a legible form.

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Commencement Information

II Sch. 4 para. 11 in force at 6.4.2005 by S.I. 2005/275, art. 2(7), **Sch. Pt. 7**

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