



Pensions Act 2004

2004 CHAPTER 35

PART 2

THE BOARD OF THE PENSION PROTECTION FUND

CHAPTER 3

PENSION PROTECTION

Eligible schemes

126 Eligible schemes

- (1) Subject to the following provisions of this section, in this Part references to an “eligible scheme” are to an occupational pension scheme which—
 - (a) is not a money purchase scheme, and
 - (b) is not a prescribed scheme or a scheme of a prescribed description.
- (2) A scheme is not an eligible scheme if it is being wound up immediately before the day appointed by the Secretary of State by order for the purposes of this subsection.
- (3) Regulations may provide that where—
 - (a) an assessment period begins in relation to an eligible scheme (see section 132), and
 - (b) after the beginning of that period, the scheme ceases to be an eligible scheme, the scheme is, in such circumstances as may be prescribed, to be treated as remaining an eligible scheme for the purposes of such of the provisions mentioned in subsection (4) as may be prescribed.
- (4) Those provisions are—
 - (a) any provision of this Part, and

Status: Point in time view as at 10/02/2005. This version of this provision has been superseded.

Changes to legislation: Pensions Act 2004, Section 126 is up to date with all changes known to be in force on or before 29 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)

- (b) any other provision of this Act in which “eligible scheme” has the meaning given by this section.
- (5) Regulations may also provide that a scheme which would be an eligible scheme in the absence of this subsection is not an eligible scheme in such circumstances as may be prescribed.

Commencement Information

- I1** S. 126(1)(b)(5) 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**
- I2** S. 126(2) in force at 10.2.2005 for specified purposes and 8.3.2005 in so far as not already in force by [S.I. 2005/275, art. 2\(1\)](#), **Sch. Pt. 1**
- I3** S. 126(3) 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Point in time view as at 10/02/2005. This version of this provision has been superseded.

Changes to legislation:

Pensions Act 2004, Section 126 is up to date with all changes known to be in force on or before 29 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.