



Pensions Act 2004

2004 CHAPTER 35

PART 1

THE PENSIONS REGULATOR

Powers in relation to winding up of occupational pension schemes

27 Effect of determination to wind up scheme on freezing order

- (1) This section applies where—
 - (a) the Regulator determines to make an order under section 11 of the Pensions Act 1995 (c. 26) (power to wind up occupational pension schemes) in relation to a scheme (“a winding up order”),
 - (b) that determination is made during the period for which a freezing order has effect in relation to the scheme,
 - (c) the case is not one to which the special procedure in section 98 applies (immediate exercise of powers where immediate risk to assets etc), and
 - (d) the winding up order accordingly cannot be made until the expiry of the period specified in section 96(5) (no exercise during period of referral to the Tribunal etc).
- (2) In such a case the freezing order is to continue to have effect until—
 - (a) where the winding up order is made, it ceases to have effect under section 28 from the time when that order is made, or
 - (b) the determination to make the winding up order is revoked.
- (3) Subsection (2) is subject to the Regulator’s power under section 101 to revoke the freezing order at any time.

Commencement Information

II S. 27 in force at 6.4.2005 by [S.I. 2005/275](#), art. 2(7), [Sch. Pt. 7](#)

Status:

Point in time view as at 06/04/2005.

Changes to legislation:

Pensions Act 2004, Section 27 is up to date with all changes known to be in force on or before 21 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.