



Pensions Act 2004

2004 CHAPTER 35

PART 1

THE PENSIONS REGULATOR

Sections 38 to 56: partnerships and limited liability partnerships

57 Sections 38 to 56: partnerships and limited liability partnerships

- (1) For the purposes of any of sections 38 to 56, regulations may modify any of the definitions mentioned in subsection (2) (as applied by any of those sections) in relation to—
 - (a) a partnership or a partner in a partnership;
 - (b) a limited liability partnership or a member of such a partnership.
- (2) The definitions mentioned in subsection (1) are—
 - (a) section 249 of the Insolvency Act 1986 (c. 45) (connected persons),
 - (b) section 435 of that Act (associated persons),
 - (c) section 74 of the Bankruptcy (Scotland) Act 1985 (c. 66) (associated persons), and
 - (d) section 736 of the Companies Act 1985 (c. 6) (meaning of “subsidiary” and “holding company” etc).
- (3) Regulations may also provide that any provision of sections 38 to 51 applies with such modifications as may be prescribed in relation to—
 - (a) any case where a partnership is or was—
 - (i) the employer in relation to an occupational pension scheme, or
 - (ii) for the purposes of any of those sections, connected with or an associate of the employer;
 - (b) any case where a limited liability partnership is—
 - (i) the employer in relation to an occupational pension scheme, or

Status: Point in time view as at 19/08/2005. This version of this provision has been superseded.

Changes to legislation: Pensions Act 2004, Section 57 is up to date with all changes known to be in force on or before 23 September 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)

- (ii) for the purposes of any of those sections, connected with or an associate of the employer.
- (4) Regulations may also provide that any provision of sections 52 to 56 applies with such modifications as may be prescribed in relation to a partnership or a limited liability partnership.
- (5) For the purposes of this section—
- (a) “partnership” includes a firm or entity of a similar character formed under the law of a country or territory outside the United Kingdom, and
 - (b) references to a partner are to be construed accordingly.
- (6) For the purposes of this section, “limited liability partnership” means—
- (a) a limited liability partnership formed under the Limited Liability Partnerships Act 2000 (c. 12) or the Limited Liability Partnerships Act (Northern Ireland) 2002 (c. 12 (N.I.)), or
 - (b) an entity which is of a similar character to such a limited liability partnership and which is formed under the law of a country or territory outside the United Kingdom,
- and references to a member of a limited liability partnership are to be construed accordingly.
- (7) This section is without prejudice to—
- (a) section 307 (power to modify this Act in relation to certain categories of scheme), and
 - (b) section 318(4) (power to extend the meaning of “employer”).

Commencement Information

- I1** S. 57(1)-(4) 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**
- I2** S. 57(5)-(7) in force at 6.4.2005 by [S.I. 2005/275, art. 2\(7\)](#), **Sch. Pt. 7**

Status:

Point in time view as at 19/08/2005. This version of this provision has been superseded.

Changes to legislation:

Pensions Act 2004, Section 57 is up to date with all changes known to be in force on or before 23 September 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.