



# Pensions Act 2004

## 2004 CHAPTER 35

### PART 1

#### THE PENSIONS REGULATOR

##### *Provision of false or misleading information*

#### **[<sup>F1</sup>80A Financial penalty for providing false or misleading information to Regulator**

- (1) Section 88A (financial penalties) applies to a person who has knowingly or recklessly provided the Regulator with information which is false or misleading in a material particular, if the information was provided to the Regulator in the circumstances mentioned in subsection (2)(a), (b) or (c).
- (2) The circumstances referred to in subsection (1) are—
  - (a) that the information was provided in purported compliance with a requirement under—
    - (i) section 62 (the register: duties of trustees or managers),
    - (ii) section 64 (duty of trustees or managers to provide scheme return),
    - (iii) section 69 (duty to notify the Regulator of certain events),
    - (iv) section 69A (duty to give notices and statements to the Regulator in respect of certain events),
    - (v) section 72 (provision of information),
    - (vi) section 72A (interviews),
    - (vii) section 75 (inspection of premises: powers of inspectors), or
    - (viii) regulations under section 11 of the Pensions Act 2008 (information about employers' duties to be given to the Regulator);
  - (b) that the information was provided in applying for registration of a pension scheme under section 2 of the Welfare Reform and Pensions Act 1999 (registration of stakeholder pension schemes);
  - (c) that the information was provided otherwise than as mentioned in paragraph (a) or (b) but in circumstances in which the person providing the

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**Changes to legislation:** Pensions Act 2004, Section 80A is up to date with all changes known to be in force on or before 04 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) View outstanding changes

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information intends, or could reasonably be expected to know, that it would be used by the Regulator for the purpose of exercising its functions under—

- (i) the Pensions Act 1995,
- (ii) this Act,
- (iii) the Pensions Act 2008,
- (iv) Schedule 18 to the Pensions Act 2014,
- (v) the Pension Schemes Act 2017, or
- (vi) Part 1 of the Pension Schemes Act 2021.]

#### Textual Amendments

- F1** S. 80A inserted (1.10.2021 except for the insertion of s. 80A(2)(a)(iv)(c)(vi), 1.8.2022 insofar as it inserts s. 80A(2)(c)(vi)) by Pension Schemes Act 2021 (c. 1), ss. 113, 131(1); S.I. 2021/950, reg. 2(3) (g) (with reg. 6); S.I. 2022/721, regs. 1(2), 3(c)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18(5A) inserted by [2014 c. 19 s. 52\(2\)](#)
- s. 18(6) words inserted by [2014 c. 19 s. 52\(3\)](#)
- s. 18(8) words inserted by [2014 c. 19 s. 52\(3\)](#)
- s. 23(1A) inserted by [2015 c. 8 Sch. 2 para. 26\(3\)](#)
- s. 23(10A) inserted by [2015 c. 8 Sch. 2 para. 26\(5\)](#)
- s. 38(1)-(1B) substituted for s. 38(1) by [2015 c. 8 Sch. 2 para. 27](#)
- s. 38(7)(da) inserted by [2021 c. 1 s. 104\(2\)](#)
- s. 43(1)-(1B) substituted for s. 43(1) by [2015 c. 8 Sch. 2 para. 28\(2\)](#)
- s. 52(1)-(1B) substituted for s. 52(1) by [2015 c. 8 Sch. 2 para. 29](#)
- s. 80(1)(a)(iib) inserted by [2021 c. 1 s. 109\(3\)](#)
- s. 102(2)(a) words in s. 102(2) renumbered as s. 102(2)(a) by [2008 c. 30 s. 44\(5\)\(a\)](#)
- s. 102(2)(b) inserted by [2008 c. 30 s. 44\(5\)\(b\)](#)
- s. 103(1A) inserted by [2008 c. 30 s. 44\(6\)](#)
- s. 117A inserted by [2008 c. 30 Sch. 10 para. 3](#)
- s. 126(1)-(1B) substituted for s. 126(1) by [2015 c. 8 Sch. 2 para. 31](#)
- s. 188(1)(ba) inserted by [2008 c. 30 Sch. 10 para. 6](#)
- s. 189A inserted by [2008 c. 30 Sch. 10 para. 7](#)
- s. 209(9) added by [2008 c. 30 Sch. 10 para. 8](#)
- s. 291(4)(f) and word inserted by [2021 c. 1 Sch. 3 para. 19\(b\)](#)
- s. 318(3)(a)(viii)-(x) inserted by [2015 c. 8 Sch. 2 para. 38\(3\)\(a\)](#)
- s. 318(3)(b)(vi)-(viii) inserted by [2015 c. 8 Sch. 2 para. 38\(3\)\(b\)](#)
- Sch. 4 para. 7(5)(b) inserted by [2008 c. 30 s. 44\(8\)\(b\)](#)
- Sch. 4 para. 13(3) inserted by [2008 c. 30 s. 44\(9\)\(b\)](#)
- Sch. 4 para. 7(5)(a) words in Sch. 4 para. 7(5) renumbered as Sch. 4 para. 7(5)(a) by [2008 c. 30 s. 44\(8\)\(a\)](#)
- Sch. 7 para. 21(2)(c)-(cc) substituted for Sch. 7 para. 21(2)(b)(c) by [2008 c. 30 Sch. 8 para. 11](#) (This amendment not applied to legislation.gov.uk. Sch. 8 para. 10 (3.1.2012) omitted without ever being in force by virtue of 2011 c. 19, Sch. 4 para. 20; S.I. 2011/3034 art. 3(i)(iv))