
STATUTORY INSTRUMENTS

2006 No. 2272

**The Pensions Act 2004 (Commencement
No. 10 and Saving Provision) Order 2006**

Citation and interpretation

1.—(1) This Order may be cited as the Pensions Act 2004 (Commencement No. 10 and Saving Provision) Order 2006.

(2) In this Order “the Act” means the Pensions Act 2004.

Appointed days

2.—(1) The day appointed for the coming into force of sections 177(5) and (8) and 178(5) of the Act (amounts to be raised by the pension protection levies and the levy ceiling), is 1st September 2006.

(2) The day appointed for the coming into force of sections 177(4) and 178(4), (7) and (9) of the Act—

- (a) for the purpose only of conferring power to make regulations, is 1st September 2006;
- (b) for all other purposes, is 1st October 2006.

(3) The day appointed for the coming into force of paragraph 11 of Schedule 12 to the Act (amendment of section 56 of the Pension Schemes Act 1993⁽¹⁾), in so far as it is not already in force, and section 319(1) of the Act in so far as it relates to that paragraph—

- (a) for the purpose only of conferring power to make regulations, is 1st October 2006;
- (b) for all other purposes, is 1st January 2007.

(4) The day appointed for the coming into force of section 178(6) of the Act (the levy ceiling)—

- (a) for the purpose only of conferring power to make an order, is 1st October 2006;
- (b) for all other purposes, is 1st December 2006.

(5) The day appointed for the coming into force of the provisions of the Act specified in Part 1 of the Schedule—

- (a) for the purpose only of conferring power to make regulations, is 1st November 2006;
- (b) for all other purposes, is 6th April 2007.

(6) The day appointed for the coming into force of sections 117(7) and 178 of the Act (administration levy and the levy ceiling), in so far as those provisions are not already in force—

- (a) for the purpose only of conferring power to make regulations or, as the case may be, an order, is 1st January 2007;
- (b) for all other purposes, is 1st March 2007.

(7) The day appointed for the coming into force of the provisions of the Act specified in Part 2 of the Schedule, is 6th April 2007.

Saving

3.—(1) The definition of “minimum funding requirement” in section 124(1) of the Pensions Act 1995⁽²⁾ (interpretation of Part 1 of that Act) continues to apply to a scheme from 6th April 2007 until the date on which the first schedule of contributions under the Act comes into force for that scheme.

(2) Any reference to “minimum funding requirement” in—

- (a) the Occupational Pension Schemes (Winding Up) Regulations 1996⁽³⁾;
- (b) the Occupational Pension Schemes (Deficiency on Winding Up etc.) Regulations 1996⁽⁴⁾,
or
- (c) the Occupational Pension Schemes (Employer Debt) Regulations 2005⁽⁵⁾,

continues to apply to a scheme on and after 6th April 2007 as if the repeal of the definition of that provision in section 124(1) of the Pensions Act 1995 by the Act had not come into force on that date in accordance with this Order.

(3) In this article—

“schedule of contributions” has the meaning given by section 227(2) of the Act (schedule of contributions);

“scheme”—

- (a) must be read in accordance with regulation 2(2) of the Occupational Pension Schemes (Scheme Funding) Regulations 2005⁽⁶⁾ (interpretation); and
- (b) is one to which—
 - (i) paragraph 9; or
 - (ii) paragraph 19,
of Schedule 4 to those Regulations (savings) applies.

Signed by authority of the Secretary of State for Work and Pensions.

19th August 2006

Jim Murphy
Minister of State,
Department for Work and Pensions

(2) 1995 c.26.

(3) S.I. 1996/3126; the relevant amending instrument is S.I. 2005/3377.

(4) S.I. 1996/3128, amended by S.I. 1997/786 and 3038, 1999/3198, 2002/380, 2004/403, 2005/72 and 678.

(5) S.I. 2005/678, amended by S.I. 2005/2224.

(6) S.I. 2005/3377, to which there are amendments not relevant to this Order.