



Pension Schemes (Northern Ireland) Act 1993

1993 CHAPTER 49

PART X

INVESTIGATIONS: THE PENSIONS OMBUDSMAN

144 Staying court proceedings where a complaint is made or a dispute is referred

- (1) This section applies where—
- (a) a complaint has been made or a dispute referred to the Pensions Ombudsman; and
 - (b) any party to the investigation subsequently commences any legal proceedings in any court against any other party to the investigation in respect of any of the matters which are the subject of the complaint or dispute.
- (2) Where this section applies, any party to the legal proceedings may—
- (a) if the proceedings are in the High Court, at any time after an appearance has been entered and before delivering any pleadings or taking any other step in the proceedings;
 - (b) if the proceedings are in the county court, at any time after the civil bill or other originating process has been served and before taking any other step in the proceedings,
- apply to the court to stay the proceedings.
- (3) On an application under subsection (2) the court may make an order staying the proceedings if it is satisfied—
- (a) that there is no sufficient reason why the matter should not be investigated by the Pensions Ombudsman; and
 - (b) that the applicant was at the time when the legal proceedings were commenced and still remains ready and willing to do all things necessary to the proper conduct of the investigation.

Status: This is the original version (as it was originally enacted).

- (4) For the purposes of this section the parties to an investigation are—
- (a) the authorised complainant in question;
 - (b) the trustees or managers of the scheme in question;
 - (c) any person against whom allegations are made in the complaint or reference;
and
 - (d) any person claiming under a person falling within paragraphs (a) to (c).