
STATUTORY INSTRUMENTS

1996 No. 1271

PENSIONS

**The Personal and Occupational Pension Schemes
(Pensions Ombudsman) Amendment Regulations 1996**

<i>Made</i>	- - - -	<i>10th May 1996</i>
<i>Laid before Parliament</i>		<i>17th May 1996</i>
<i>Coming into force</i>	- -	<i>1st July 1996</i>

The Secretary of State for Social Security, in exercise of the powers conferred by sections 146(4)(b), 181(1) and 182(2) and (3) of the Pension Schemes Act 1993⁽¹⁾, and of all other powers enabling him in that behalf, having referred proposals to make these Regulations to the Occupational Pensions Board⁽²⁾, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Personal and Occupational Pension Schemes (Pensions Ombudsman) Amendment Regulations 1996 and shall come into force on 1st July 1996.

(2) In these Regulations—

“the principal Regulations” means the Personal and Occupational Pension Schemes (Pensions Ombudsman) Regulations 1991⁽³⁾.

Amendment of the principal Regulations

2. After regulation 2 of the principal Regulations, there shall be inserted the following regulation—

“Extension of Pensions Ombudsman’s jurisdiction to scheme administrators

2A.—(1) The Pensions Ombudsman may investigate and determine any complaint in relation to the administration of a personal or an occupational pension scheme, involving an authorised complainant and the administrator of the scheme.

(1) 1993 c. 48. Section 181(1) is cited because of the meaning ascribed to “prescribe” and “regulations”.

(2) See section 185(1) of the Pension Schemes Act 1993 (c. 48) which contains the requirement that proposals to make regulations under Part X of the Act shall be referred to the Occupational Pensions Board.

(3) S.I.1991/588; as amended by Schedule 2 to S.I. 1994/1062.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) Where the Pensions Ombudsman commences an investigation under paragraph (1), the provisions of Part X of the Act (the Pensions Ombudsman) shall apply in relation to the administrator as they would apply in relation to the trustees or managers of the scheme.

(3) In this regulation, “administrator” means any person, other than the trustees or managers of a scheme or the employer to which the scheme relates or has related, concerned with the administration of the scheme.”.

Signed by authority of the Secretary of State for Social Security.

10th May 1996

Oliver Heald
Parliamentary Under-Secretary of State,
Department of Social Security

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Personal and Occupational Pension Schemes (Pensions Ombudsman) Regulations 1991 (“the principal Regulations”).

Regulation 1 provides for the citation, commencement and interpretation of the Regulations.

Regulation 2 inserts a new regulation 2A into the principal Regulations which extends the jurisdiction of the Pensions Ombudsman to include complaints against scheme administrators.

The report of the Occupational Pensions Board on the draft of these Regulations which was referred to them, together with a statement by the Secretary of State showing that these Regulations give effect to the Board’s recommendations, is contained in Command Paper Cm. 3262, published by Her Majesty’s Stationery Office.

An assessment of the compliance cost to business of the measures arising from these Regulations has been placed in the libraries of both Houses of Parliament. Copies can be obtained by post from the Department of Social Security, 11th Floor, Adelphi, 1—11 John Adam Street, London WC2N 6HT.