
STATUTORY INSTRUMENTS

2005 No. 255

The Pensions (Northern Ireland) Order 2005

PART II

THE PENSIONS REGULATOR

Collecting information relevant to the Board

Duty to notify the Regulator of certain events

64.—(1) Except where the Regulator otherwise directs, the appropriate person must give notice of any notifiable event to the Regulator.

(2) In paragraph (1) “notifiable event” means—

- (a) a prescribed event in respect of an eligible scheme, or
- (b) a prescribed event in respect of the employer in relation to an eligible scheme.

(3) For the purposes of paragraph (1)—

(a) in the case of an event within paragraph (2)(a), each of the following is “the appropriate person”—

- (i) the trustees or managers of the scheme,
- (ii) a person of a prescribed description, and

(b) in relation to an event within paragraph (2)(b), each of the following is “the appropriate person”—

- (i) the employer in relation to the scheme,
- (ii) a person of a prescribed description.

(4) A notice under paragraph (1)—

- (a) must be in writing, and
- (b) subject to paragraph (5), must be given as soon as reasonably practicable after the person giving it becomes aware of the notifiable event.

(5) Regulations may require a notice under paragraph (1) to be given before the beginning of the prescribed period ending with the notifiable event in question.

(6) Subject to Article 283 (protected items), no duty to which a person is subject is to be regarded as contravened merely because of any information or opinion contained in a notice under this Article.

(7) Where the trustees or managers of a scheme fail to comply with an obligation imposed on them by paragraph (1), Article 10 of the 1995 Order (civil penalties) applies in relation to any trustee or manager who has failed to take all reasonable steps to secure compliance with that paragraph.

(8) That Article also applies to any other person who, without reasonable excuse, fails to comply with an obligation imposed on him by paragraph (1).

(9) In this Article—

“eligible scheme” has the meaning given by Article 110,
“event” includes a failure to act.