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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 115**

**The Occupational and Personal Pension  
Schemes (Miscellaneous Amendments)  
Regulations (Northern Ireland) 2009**

**Amendment of the Occupational and Personal Pension Schemes (Consultation by Employers) Regulations**

**18.**—(1) The Occupational and Personal Pension Schemes (Consultation by Employers) Regulations (Northern Ireland) 2006<sup>(1)</sup> shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 18 (exclusivity of remedy)—

- (a) for the heading substitute “Remedies for failure to comply”;
- (b) for paragraph (1) substitute—

“(1) The only remedies for a failure to comply with any obligations under regulations 6 to 16 in respect of any proposal or decision to make a listed change are—

- (a) making a complaint to the Regulator;
- (b) an improvement notice issued under Article 9 of the Order, and
- (c) a penalty imposed under regulation 18A.”;

(c) in paragraph (2) after “A complaint” insert “under paragraph (1)(a)”.

(3) After regulation 18 insert—

**“Penalties**

**18A.**—(1) Where a person fails, without reasonable excuse, to comply with a requirement to consult under regulation 7(3), the Regulator may by notice in writing require that person to pay a penalty.

(2) Any such penalty must be paid within 28 days and must not exceed—

- (a) in the case of an individual, £5,000, and
- (b) in any other case, £50,000.”.

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**Commencement Information**

**II** Reg. 18 in operation at 6.4.2009, see [reg. 1\(2\)](#)

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(1) [S.R. 2006 No. 48](#) to which there are amendments not relevant to these Regulations

**Changes to legislation:**

There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2009, Section 18.