
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 79

The Occupational and Personal Pension Schemes
(Disclosure of Information) Regulations (Northern Ireland) 2014

PART 1

General

Citation, commencement and expiry

1.—(1) These Regulations may be cited as the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014 and shall come into operation on 6th April 2014.

(2) On 6th April 2015 the following provisions cease to have effect—

- (a) paragraphs 2 and 3 of Schedule 6, and
- (b) paragraph 11(1)(b) and (2) of Schedule 8.

Commencement Information

II Reg. 1 in operation at 6.4.2014, see [reg. 1\(1\)](#)

Interpretation

2.—(1) In these Regulations—

“the 1993 Act” means the Pension Schemes (Northern Ireland) Act 1993;

“the 1995 Order” means the Pensions (Northern Ireland) Order 1995;

“the 1999 Order” means the Welfare Reform and Pensions (Northern Ireland) Order 1999;

“the 2005 Order” means the Pensions (Northern Ireland) Order 2005(1);

[^{F1}“the 2014 Act” means the Public Service Pensions Act (Northern Ireland) 2014(1);]

[^{F2}“the 2021 Act” means the Pension Schemes Act 2021;]

“accrued rights”—

- (a) in relation to an occupational pension scheme, has the meaning given in Article 121(2) of the 1995 Order, and
- (b) in relation to a personal pension scheme, means rights that have accrued under the scheme;

(1) S.I. 2005/255 (N.I. 1)

(1) S.I. 2005/255 (N.I. 1)

Status: Point in time view as at 06/04/2023.

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[^{F3}“actuarial valuation”, in relation to a collective money purchase scheme, has the meaning given by section 71(2) of the 2021 Act;

“the available assets of the scheme”, in relation to a collective money purchase scheme, has the meaning given by section 53(2) of the 2021 Act;]

“beneficiary” means a person, other than a member, who is entitled to the payment of benefits under the scheme;

[^{F4}“cash balance benefit” has the meaning given in section 75 of the Pension Schemes Act 2015(3);]

[^{F5}“collective money purchase scheme” means a scheme or a section of a scheme which is a collective money purchase scheme for the purposes of Part 2 of the 2021 Act (collective money purchase benefits: Northern Ireland);]

[^{F6}“drawdown pension” has the meaning given in paragraph 4 of Schedule 28 to the Finance Act 2004(4);]

“electronic communication” has the meaning given in section 4(1) of the Electronic Communications Act (Northern Ireland) 2001(2);

“excluded person” means a member or beneficiary—

- (a) whose present postal address and electronic address are not known to the trustees or managers of the scheme, and
- (b) in respect of whom the trustees or managers of the scheme have sent correspondence to that member’s or beneficiary’s last known—
 - (i) postal address and that correspondence has been returned, or
 - (ii) electronic address and the trustees or managers of the scheme are satisfied that that correspondence has not been delivered;

[^{F7}“flexible benefit” has the meaning given in section 74 of the Pension Schemes Act 2015;]

^{F8}
...

“HMRC” means the Commissioners for Her Majesty’s Revenue and Customs;

[^{F9}“ill-health condition” has the meaning given in paragraph 1 of Schedule 28 to the Finance Act 2004;]

“illustration date” means the date specified by the trustees or managers of the scheme as the date by reference to which amounts are calculated for the purpose of giving the information in Part 2 of Schedule 6 [^{F10}and in Schedule 6A];

“lifestyling” means an investment strategy that aims progressively to reduce the potential for significant variation caused by market conditions in the value of the member’s rights;

“member”—

- (a) in relation to an occupational pension scheme, has the meaning given in Article 121(1)(3) of the 1995 Order, and
- (b) in relation to a personal pension scheme, means a member of the scheme;

(3) The definition of “member” was amended by paragraph 50(2) of Schedule 9 to the Welfare Reform and Pensions (Northern Ireland) Order 1999

(4) [S.I. 1996/1919 \(N.I. 16\)](#)

(2) [2001 c. 9 \(N.I.\)](#); the definition of “electronic communication” in section 4(1) was amended by paragraph 170 of Schedule 17 to the Communications Act [2003 \(c. 21\)](#)

(3) The definition of “member” was amended by paragraph 50(2) of Schedule 9 to the Welfare Reform and Pensions (Northern Ireland) Order 1999

[^{F11}“multi-annual reduction” has the meaning given by regulation 2 of the Occupational Pension Schemes (Collective Money Purchase Schemes) Regulations (Northern Ireland) 2022;]

“prospective member” means a person who, under the terms of that person’s contract of service or the scheme rules or both—

- (a) can choose to become a member of the scheme;
- (b) will be able to choose to become a member of the scheme if that person continues in the same employment for a certain period of time;
- (c) will become a member of the scheme automatically unless that person chooses not to become a member of the scheme, or
- (d) can become a member of the scheme if that person’s employer consents;

[^{F12}“normal minimum pension age” has the meaning given in section 279(1) of the Finance Act 2004;

[^{F13}“pensions guidance” means information or guidance provided by any person in pursuance of the requirements mentioned in section 4 of the Financial Guidance and Claims Act 2018 (specific requirements as to the pensions guidance function);]

“recipient” means the person, organisation or body to whom these Regulations require information or documents to be made available;

“recognised trade union” means an independent trade union (within the meaning given in Article 2(3) of the Employment Rights (Northern Ireland) Order 1996⁽⁴⁾) that is recognised to any extent for the purposes of collective bargaining in relation to members and prospective members of a scheme;

“the Regulator” means the Pensions Regulator⁽⁵⁾ established under section 1 of the Pensions Act 2004⁽⁶⁾;

“relevant employment” means any employment to which the scheme relates;

“relevant guidance” means the document entitled “AS TM1: Statutory Money Purchase Illustrations” that is adopted or prepared, and from time to time revised, by the Financial Reporting Council Limited⁽⁷⁾;

“relevant person” means a—

- (a) member or prospective member of the scheme;
- (b) spouse or civil partner of a member or prospective member;
- (c) beneficiary of the scheme;
- (d) recognised trade union;

“retirement date” has the meaning given in regulation 19(5);

“scheme year” means, in relation to an occupational pension scheme—

- (a) a year specified for the purposes of the scheme in any scheme document or, if there is no such year specified, a period of 12 months commencing on 1st April or on such other date as the trustees choose, or
- (b) a period between 6 and 18 months specified by the trustees in connection with—

(4) [S.I. 1996/1919 \(N.I. 16\)](#)

(5) The Pensions Regulator can be contacted at Napier House, Trafalgar Place, Brighton BN1 4DW or at www.thepensionsregulator.gov.uk

(6) [2004 c. 35](#)

(7) The Financial Reporting Council can be contacted at 5th Floor, Aldwych House, 71-91 Aldwych, London WC2B 4HN and at www.frc.org.uk

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- (i) the commencement or termination of the scheme, or
- (ii) a variation of the date on which the period referred to in paragraph (a) is to commence;

[^{F14}“survivor” has the meaning given in section 76(1) of the Pension Schemes Act 2015 (interpretation of Part 4);]

“tax registered scheme” means a scheme that—

- (a) is registered under section 153 of the Finance Act 2004⁽⁸⁾ (registration of pension schemes);
- (b) was formerly registered under that section;
- (c) is deemed to be registered under that section by virtue of paragraph 1 of Schedule 36 to that Act (pension schemes etc: transitional provisions and savings), or
- (d) has applied for registration under that section and HMRC have not decided whether to register the scheme;

[^{F15}“transferrable rights” has the meaning given in section 89(11)(b)(6) of the 1993 Act (scope of Chapter 1);]

[^{F16}“unfunded public service defined benefits scheme” has the meaning given in section 91(2C) of the 1993 Act;]

“wholly insured scheme” means a scheme under which all the benefits provided are secured by a policy or policies of insurance or annuity contract or contracts.

[^{F17}(1A) In these Regulations—

[^{F18}(a) a member has an opportunity to transfer flexible benefits where—

- (i) the member—
 - (aa) has transferrable rights in relation to flexible benefits, or
 - (bb) would have transferrable rights in relation to flexible benefits if the member stopped accruing rights to some or all of the flexible benefits (see subparagraph (b)),
 and the making of a transfer or transfer payment in respect of the flexible benefits is not prohibited by Article 119(4)(a) of the 2005 Order, or
- (ii) the member has an opportunity to transfer accrued rights to flexible benefits out of the scheme under the scheme rules;]

(b) a member stops accruing rights to flexible benefits when there are no longer arrangements in place for the accrual of rights to those flexible benefits for or in respect of the member.]

(2) Subject to paragraph (3), the Interpretation Act (Northern Ireland) 1954⁽⁹⁾ shall apply to these Regulations as it applies to an Act of the Assembly.

(3) For the purposes of these Regulations and notwithstanding section 39(2) of the Interpretation Act (Northern Ireland) 1954, where a period of time is expressed to begin on, or to be reckoned from, a particular day, that day shall be included in the period.]

⁽⁸⁾ 2004 c. 12; section 153 was amended by paragraphs 2 and 3 of Schedule 10 to the Finance Act 2005 (c. 7)

⁽⁶⁾ 2004 c. 35

⁽⁹⁾ 1954 c. 33 (N.I.)

Textual Amendments

- F1** Words in reg. 2(1) inserted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **3(1)(a)**
- F2** Words in reg. 2(1) inserted (1.8.2022) by The Occupational Pension Schemes (Collective Money Purchase Schemes) (Modifications and Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2022 (S.R. 2022/192), regs. 1(1), **13(2)(a)**
- F3** Words in reg. 2(1) inserted (1.8.2022) by The Occupational Pension Schemes (Collective Money Purchase Schemes) (Modifications and Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2022 (S.R. 2022/192), regs. 1(1), **13(2)(b)**
- F4** Words in reg. 2(1) substituted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **3(1)(b)**
- F5** Words in reg. 2(1) inserted (1.8.2022) by The Occupational Pension Schemes (Collective Money Purchase Schemes) (Modifications and Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2022 (S.R. 2022/192), regs. 1(1), **13(2)(c)**
- F6** Words in reg. 2(1) inserted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **3(1)(c)**
- F7** Words in reg. 2(1) inserted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **3(1)(d)**
- F8** Words in reg. 2(1) omitted (6.4.2015) by virtue of The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **3(1)(e)**
- F9** Words in reg. 2(1) inserted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **3(1)(f)**
- F10** Words in reg. 2(1) inserted (1.8.2022) by The Occupational Pension Schemes (Collective Money Purchase Schemes) (Modifications and Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2022 (S.R. 2022/192), regs. 1(1), **13(2)(d)**
- F11** Words in reg. 2(1) inserted (1.8.2022) by The Occupational Pension Schemes (Collective Money Purchase Schemes) (Modifications and Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2022 (S.R. 2022/192), regs. 1(1), **13(2)(e)**
- F12** Words in reg. 2(1) inserted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **3(1)(g)**
- F13** Words in reg. 2(1) substituted (1.6.2022) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Requirements to Refer Members to Guidance etc.) (Amendment) Regulations (Northern Ireland) 2022 (S.R. 2022/115), regs. 1(1), **2(2)**
- F14** Words in reg. 2(1) inserted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **3(1)(h)**
- F15** Words in reg. 2(1) inserted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **3(1)(i)**
- F16** Words in reg. 2(1) inserted (6.4.2016) by The Pension Protection Fund and Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2016 (S.R. 2016/165), regs. 1, **8(1)**

Status: Point in time view as at 06/04/2023.

Changes to legislation: There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014. (See end of Document for details)

- F17** Reg. 2(1A) inserted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **3(2)**
- F18** Reg. 2(1A)(a) substituted (6.4.2016) by The Pension Protection Fund and Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2016 (S.R. 2016/165), regs. 1, **8(2)**

Commencement Information

- I2** Reg. 2 in operation at 6.4.2014, see **reg. 1(1)**

Recognised trade union

3. Where there is a question about whether an organisation is a recognised trade union, that question must be referred to an industrial tribunal.

Commencement Information

- I3** Reg. 3 in operation at 6.4.2014, see **reg. 1(1)**

Application of these Regulations

4.—^{F19}(1) Subject to paragraphs (2), (3), (6) and (9), the trustees or managers of an occupational pension scheme that falls within paragraph 1 of Schedule 1 must give information in accordance with regulations 6, 8, 9 to 17, 18 to 22, 24 and 25 and, where the scheme falls within Article 35 of the 1995 Order (investment principles) or the scheme is a relevant scheme within the meaning of the Occupational Pension Schemes (Scheme Administration) Regulations (Northern Ireland) 1997, regulation 29A.]

- (2) Regulations 9, 10, 12, 13 and 15 do not apply to a public service pension scheme⁽¹⁰⁾ if—
- there are no requirements for assets related to the intended rate or amount of benefit under the scheme to be set aside in advance (disregarding requirements relating to additional voluntary contributions);
 - it is made under Article 9 of the Superannuation (Northern Ireland) Order 1972⁽¹¹⁾ (superannuation of persons employed in local government service, etc.) ^{F20}or it is a defined benefits scheme under section 1 of the 2014 Act (schemes for persons in public service) in relation to persons specified in subsection (2)(c) of that section], or
 - it ^{F21}is established under section 48 of the Northern Ireland Act 1998 (pensions of members), or was established under] Part 2 of the Ministerial Salaries and Members' Pensions Act (Northern Ireland) 1965⁽¹²⁾ or Article 3 of the Assembly Pensions (Northern Ireland) Order 1976⁽¹³⁾.

(3) Regulation 17 does not apply to a stakeholder pension scheme within the meaning of Article 3⁽¹⁴⁾ of the 1999 Order.

- (4) Subject to paragraph (6), the trustees or managers of a pension scheme that is—

⁽¹⁰⁾ See section 1 of the Pension Schemes (Northern Ireland) Act 1993

⁽¹¹⁾ S.I. 1972/1073 (N.I. 10); Article 9 was amended by Article 34 of the Local Government (Northern Ireland) Order 2005 (S.I. 2005/1968 (N.I. 18))

⁽¹²⁾ 1965 c. 18 (N.I.)

⁽¹³⁾ S.I. 1976/1779

⁽¹⁴⁾ Article 3 was amended by Article 262(3) of the Pensions (Northern Ireland) Order 2005, Article 16(2) of S.I. 2006/745 and paragraph 37(a) of Schedule 4 to the Pensions Act (Northern Ireland) 2008

- (a) an occupational pension scheme that does not fall within paragraph 1 of Schedule 1, or
- (b) established under the Salvation Army Act 1963(15),
- must give information in accordance with regulation 7.
- (5) Subject to paragraphs (3) and (6), the managers of a personal pension scheme that falls within paragraph 2 of Schedule 1 must give information in accordance with regulations 10, 17 [F22, 18] , 21 and 23.
- (6) Paragraphs (1), (4) and (5) do not require the trustees or managers of a scheme to give information to—
- (a) a member or prospective member if no person who employs that member in relevant employment has informed the trustees or managers of the scheme that that member is a member or prospective member;
- (b) a recognised trade union if no person who employs a member or prospective member in relation to whom the trade union is a recognised trade union has informed the trustees or managers of the scheme that the trade union is a recognised trade union, or
- (c) a member of an occupational pension scheme where all the members are trustees or managers of the scheme.
- (7) [F23Except where information is given verbally in accordance with regulation 18B(3) [F24or 18C(4) or (7)], when] any information is given in accordance with paragraph (1), (4) or (5), it must be accompanied by the postal address and electronic address to which a person should send requests for further information or any other enquiry.
- [F25(8) In this regulation “defined benefits scheme” has the meaning given in section 34 of the 2014 Act.]
- [F26(9) Regulations 12A, 17, 18B, 19 and 25 do not apply to a collective money purchase scheme.
- (10) For the purposes of these Regulations, where a pension scheme is divided into sections, each section that is a collective money purchase scheme is to be treated as a separate scheme.]

Textual Amendments

- F19** Reg. 4(1) substituted (1.8.2022) by The Occupational Pension Schemes (Collective Money Purchase Schemes) (Modifications and Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2022 (S.R. 2022/192), regs. 1(1), **13(3)(a)**
- F20** Words in reg. 4(2)(b) inserted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **4(2)(a)**
- F21** Words in reg. 4(2)(c) substituted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **4(2)(b)**
- F22** Words in reg. 4(5) substituted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **4(3)**
- F23** Words in reg. 4(7) substituted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **4(4)**
- F24** Words in reg. 4(7) inserted (1.6.2022) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Requirements to Refer Members to Guidance etc.) (Amendment) Regulations (Northern Ireland) 2022 (S.R. 2022/115), regs. 1(1), **2(3)**

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- F25** Reg. 4(8) added (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), 4(5)
- F26** Reg. 4(9)(10) added (1.8.2022) by The Occupational Pension Schemes (Collective Money Purchase Schemes) (Modifications and Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2022 (S.R. 2022/192), regs. 1(1), 13(3)(b)

Commencement Information

- I4** Reg. 4 in operation at 6.4.2014, see [reg. 1\(1\)](#)

Civil penalties relating to occupational pension schemes

5. Where in relation to an occupational pension scheme a person fails without reasonable excuse to comply with any requirement imposed under these Regulations, the Regulator may, by notice in writing, require that person to pay, within 28 days, a penalty that must not—

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

Commencement Information

- I5** Reg. 5 in operation at 6.4.2014, see [reg. 1\(1\)](#)

PART 2

Information for new and prospective members

Basic scheme information

6.—(1) The basic scheme information mentioned in paragraph (2) must be given in accordance with this regulation.

- (2) The basic scheme information is the information listed in —
 - (a) Part 1 of Schedule 2, and
 - (b) Part 3 of that Schedule where the scheme contains provision for lifestyling (see regulation 18).
- (3) The information must be given to—
 - (a) prospective members, if it is practicable to do so, and
 - (b) members who have not already been given the information.
- (4) The information must also be given to a relevant person who—
 - (a) makes a request for the information, and
 - (b) has not been given that information in the previous 12 months.

(5) Where the trustees or managers of the scheme have in relation to a member or prospective member received jobholder information, the information must be given within one month of the date that information was received.

(6) Where the trustees or managers of the scheme have not received jobholder information in relation to a member or prospective member, the information must be given within 2 months of the date the person became an active member of the scheme.

(7) Where the trustees or managers of the scheme have received a request for the information from a relevant person, the information must be given within 2 months of that request.

(8) No information is required to be given under this regulation to—

- (a) a relevant person, except a recognised trade union, unless it is relevant to the person's rights or prospective rights under the scheme, and
- (b) a recognised trade union unless it is relevant to the rights or prospective rights of persons who are in that recognised trade union.

(9) In this regulation “jobholder information” means the information specified in regulation 3 of the Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations (Northern Ireland) 2010⁽¹⁶⁾ (jobholder information).

Commencement Information

I6 Reg. 6 in operation at 6.4.2014, see [reg. 1\(1\)](#)

Basic scheme information to be given by certain schemes

7.—(1) The basic scheme information mentioned in paragraph (2) must be given in accordance with this regulation.

(2) The basic scheme information is the information listed in—

- (a) Part 2 of Schedule 2, and
- (b) Part 3 of that Schedule where the scheme contains provision for lifestyling (see regulation 18).

(3) The information must be given to—

- (a) prospective members;
- (b) members who have not already been given the information, and
- (c) a recognised trade union on request.

(4) The information must be given to—

- (a) a prospective member, if it is practicable to do so;
- (b) a member within 2 months of membership beginning, and
- (c) a recognised trade union within 2 months of the date the request is made.

Commencement Information

I7 Reg. 7 in operation at 6.4.2014, see [reg. 1\(1\)](#)

⁽¹⁶⁾ S.R. 2010 No. 122 to which there are amendments not relevant to these Regulations

PART 3

Changes to information

Material alterations to basic scheme information

8.—(1) The information mentioned in paragraph (2) must be given in accordance with this regulation where—

- (a) there is a change in relation to the scheme, and
- (b) that change results in a material alteration in the information listed in Part 1 of Schedule 2.

(2) The information is the information referred to in paragraph (1)(b) that has materially changed.

(3) The information must be given to all members and beneficiaries of the scheme, except excluded persons, and to a recognised trade union.

(4) The information must be given before or as soon as practicable after (and in any event within 3 months after) the change referred to in paragraph (1)(a) takes effect.

(5) No information is required to be given under this regulation to—

- (a) relevant persons, except a recognised trade union, unless it is relevant to the person's rights or prospective rights under the scheme, and

(b) a recognised trade union unless—

- (i) it is relevant to the rights or prospective rights of persons who are in that recognised trade union, and
- (ii) basic scheme information has already been given to the recognised trade union under regulation 6.

[^{F27}(6) This regulation does not apply where regulation 8A applies.]

Textual Amendments

F27 Reg. 8(6) added (1.8.2022) by [The Occupational Pension Schemes \(Collective Money Purchase Schemes\) \(Modifications and Consequential and Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/192\)](#), regs. 1(1), **13(4)**

Commencement Information

I8 Reg. 8 in operation at 6.4.2014, see [reg. 1\(1\)](#)

[^{F28}Scheme closure: collective money purchase schemes

8A.—(1) In relation to a collective money purchase scheme, the information specified in paragraphs (2) and (3) must be given in accordance with this regulation.

(2) The information listed in paragraphs 30 to 33 of Schedule 2 must be given as soon as practicable and in any event no more than one month after a decision by the trustees to pursue continuity option 3.

(3) The information listed in paragraphs 34 to 38 of Schedule 2 must be given as soon as is practicable and in any event no more than one month after the date on which the Regulator notifies the trustees in accordance with section 89(4) of the 2021 Act (continuity option 3: conversion to closed scheme).

(4) The information must be given to all members and beneficiaries of the scheme except for excluded persons.

(5) In this regulation, and in Schedule 2, “continuity option 3” is the conversion of the scheme into a closed scheme in accordance with sections 85 (continuity options) and 89 of the 2021 Act and regulations made section 89 of that Act.]

Textual Amendments

F28 Reg. 8A inserted (1.8.2022) by [The Occupational Pension Schemes \(Collective Money Purchase Schemes\) \(Modifications and Consequential and Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/192\)](#), regs. 1(1), **13(5)**

Modification by the Regulator

9. Active members must be informed of any modification to the scheme by the Regulator under Article 210(2)(a) of the 2005 Order (powers of the Regulator) within one month of the modification taking effect.

Commencement Information

I9 Reg. 9 in operation at 6.4.2014, see [reg. 1\(1\)](#)

Former stakeholder pension schemes

10.—(1) The information mentioned in paragraph (2) must be given in accordance with this regulation where a scheme is removed from the register of stakeholder pension schemes kept under Article 4(17) of the 1999 Order.

(2) The information is a statement that the scheme—

- (a) has been removed from the register;
- (b) is no longer a stakeholder pension scheme, and
- (c) is required to begin winding up.

(3) The information must be given to members except excluded persons.

(4) The information must be given within no more than 2 weeks of the trustees or managers of the scheme being notified that the scheme has been removed from the register.

Commencement Information

I10 Reg. 10 in operation at 6.4.2014, see [reg. 1\(1\)](#)

PART 4

Information to be given on request

Constitution of the scheme

11.—(1) The information listed in Part 1 of Schedule 3 must be given to a relevant person in accordance with this regulation where the relevant person makes a request for the information.

(17) Article 4 was amended by paragraph 67 of Schedule 10, and Schedule 11, to the Pensions (Northern Ireland) Order 2005 and paragraph 38 of Schedule 4 to the Pensions Act (Northern Ireland) 2008

Status: Point in time view as at 06/04/2023.

Changes to legislation: There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014. (See end of Document for details)

- (2) The information must be given within 2 months of the date the request is made.
- (3) The information must be given in accordance with regulation 29.
- (4) Any document that must be given under paragraph (1) which is not in the English language must be accompanied by a translation in that language.
- (5) No information is required to be given under this regulation—
 - (a) to relevant persons, except a recognised trade union, unless it is relevant to the person’s rights or prospective rights under the scheme;
 - (b) to a recognised trade union unless it is relevant to the rights or prospective rights of persons who are in that recognised trade union, and
 - (c) where the information has been given to the relevant person in the previous 12 months unless there has been a change in the information.

Commencement Information

I11 Reg. 11 in operation at 6.4.2014, see [reg. 1\(1\)](#)

Annual report

12.—(1) A document containing the information listed in Part 2 of Schedule 3 must be prepared within 7 months of the end of each scheme year [^{F29}(subject to paragraph (5))] and given in accordance with this regulation.

- (2) The document must be given to a relevant person where the relevant person—
 - (a) makes a request for the document within 5 years of the end of the scheme year to which the information relates, and
 - (b) has not been given the document before.
- (3) The document must be given within 2 months of the date the request is made.
- (4) The document must be given in accordance with—
 - (a) regulation 26 or 29(3), where the document relates to the most recent scheme year, or
 - (b) regulation 29, where the document does not relate to that year.

[^{F30}(5) Where Article 35 of the 1995 Order (investment principles) applies to a scheme the following information must be made publicly available free of charge in accordance with regulation 29A—

- (a) the information listed in paragraph 30(ca) of Schedule 3 but only if the scheme is not a relevant scheme within the meaning of regulation 1(2) of the Occupational Pension Schemes (Scheme Administration) Regulations (Northern Ireland) 1997 (interpretation), or
- (b) the information listed in paragraph 30(f) of that Schedule but only if the scheme is a relevant scheme within the meaning of that regulation.]]

Textual Amendments

F29 Words in [reg. 12\(1\)](#) inserted (1.10.2020) by [The Pension Protection Fund \(Pensionable Service\) and Occupational Pension Schemes \(Investment and Disclosure\) \(Amendment and Modification\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/165\)](#), [regs. 1\(3\)\(a\), 5\(2\)\(a\)](#)

F30 Reg. 12(5) added (1.10.2020) by The Pension Protection Fund (Pensionable Service) and Occupational Pension Schemes (Investment and Disclosure) (Amendment and Modification) Regulations (Northern Ireland) 2018 (S.R. 2018/165), regs. 1(3)(a), **5(2)(b)**

Commencement Information

I12 Reg. 12 in operation at 6.4.2014, see **reg. 1(1)**

[^{F31}Additional information available on request: pooled funds

12A.—(1) Where the scheme is a relevant scheme within the meaning of the Occupational Pension Schemes (Scheme Administration) Regulations (Northern Ireland) 1997, a statement containing the information listed in paragraph 35 of Schedule 3 must be given on request to a member, or to a recognised trade union on behalf of the member, in accordance with this regulation.

(2) The statement must be given within 2 months of the date the request is made and it must be given in accordance with regulation 26.

(3) A statement is not required to be given where the request is made—

- (a) less than 6 months after the last occasion on which information was given to or in respect of the member under this regulation, or
- (b) by a recognised trade union unless it is relevant to the rights of a member who is in that recognised trade union.]

Textual Amendments

F31 Reg. 12A inserted (6.4.2019) by The Occupational Pension Schemes (Administration and Disclosure) (Amendment) Regulations (Northern Ireland) 2018 (S.R. 2018/53), regs. 1(1), **3(3)**

Other information to be given on request

13.—(1) The information listed in Part 3 of Schedule 3 must be given to a relevant person in accordance with this regulation where the relevant person makes a request for the information.

(2) The information must be given within 2 months of the date the request is made.

(3) The information must be given in accordance with regulation 29.

Commencement Information

I13 Reg. 13 in operation at 6.4.2014, see **reg. 1(1)**

Transfer credits

14.—(1) The information listed in Part 4 of Schedule 3 must be given in accordance with this regulation.

(2) Subject to paragraph (3), the information must be given to any member or prospective member who makes a request for it.

(3) Paragraph (2) does not apply where the request mentioned in that paragraph is made less than 12 months after the last occasion on which such information was given.

(4) The information must be given within 2 months of the date the request is made.

Status: Point in time view as at 06/04/2023.

Changes to legislation: There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014. (See end of Document for details)

Commencement Information

I14 Reg. 14 in operation at 6.4.2014, see [reg. 1\(1\)](#)

PART 5

Funding statements, benefit statements and illustrations

Summary funding statements

15.—(1) The information listed in Schedule 4, in the form of a summary funding statement, must be given in accordance with this regulation where the trustees or managers of the scheme have obtained an actuarial valuation or report under Article 203 of the 2005 Order.

(2) The information must be given to all members and beneficiaries of the scheme except—

- (a) excluded persons, and
- (b) members or beneficiaries whose only entitlement to benefits under the scheme is, or will be, to money purchase benefits.

(3) The information must be given on, before, or within a reasonable period after, the date by which the trustees or managers of the scheme are required under Article 203 of the 2005 Order to ensure that the valuation or report is received by them.

Commencement Information

I15 Reg. 15 in operation at 6.4.2014, see [reg. 1\(1\)](#)

Statements of benefits: non-money purchase benefits

16.—(1) The information mentioned in paragraph (2) must be given in accordance with this regulation where—

- (a) the member has rights to benefits that are not money purchase benefits;
- (b) the member requests that [^{F32}information;]
- (c) information has not been given to that member under this regulation in the 12 months before that [^{F33}request, and]
- [^{F34}(d) in relation to active members, a benefit information statement has not been provided pursuant to section 14(1) of the 2014 Act (information about benefits) in the 12 months before the request in sub-paragraph (b).]

(2) The information is—

- (a) for active members, the information listed in Parts 1 and 2 of Schedule 5;
- (b) for deferred members, the information listed in Parts 2 and 3 of that Schedule;
- (c) for pension credit members, the information listed in Part 4 of that Schedule.

(3) The information must be given as soon as practicable and in any event no more than 2 months after the date the request is made.

(4) In this regulation “pension credit member” means a person who has rights under the scheme that are attributable (directly or indirectly) to a credit under Article 26(1)(b) of the 1999 Order

(creation of pension debits and credits) or under section 29(1)(b) of the Welfare Reform and Pensions Act 1999(18).

Textual Amendments

- F32** Words in [reg. 16\(1\)\(b\)](#) substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/154\)](#), regs. 1(1), **5(a)**
- F33** Words in [reg. 16\(1\)\(c\)](#) substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/154\)](#), regs. 1(1), **5(b)**
- F34** [Reg. 16\(1\)\(d\)](#) added (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/154\)](#), regs. 1(1), **5(c)**

Commencement Information

- I16** [Reg. 16](#) in operation at 6.4.2014, see [reg. 1\(1\)](#)

[^{F35}Statements of benefits: cash balance benefits

16A.—(1) The information mentioned in paragraph (2) (in addition to the information required under regulation 16) must be given to any member in accordance with this regulation where—

- (a) the member has rights to cash balance benefits;
- (b) the member requests that information, and
- (c) information has not been given to that member under this regulation in the 12 months before that request.

(2) The information is that listed in paragraphs 6A, 9 to 14, 16A and 17 of Schedule 6.

(3) The information must be given as soon as practicable but no more than 2 months after the date the request is made.]

Textual Amendments

- F35** [Reg. 16A](#) inserted (24.7.2014) by [The Pensions \(2012 Act\) \(Transitional, Consequential and Supplementary Provisions\) Regulations \(Northern Ireland\) 2014 \(S.R. 2014/204\)](#), regs. 1(1), **73(3)**

Statements of benefits: money purchase benefits

17.—(1) Information relating to a member's money purchase benefits must be given in accordance with this regulation to a member who—

- (a) has rights to money purchase benefits, and
- (b) is not an excluded person.

(2) The information listed in Part 1 of Schedule 6 must be given.

(3) The information listed in paragraphs 6 to 8 of Schedule 6 must be given except where paragraph (6) applies.

- (4) Where paragraph (6) applies, the information listed in paragraphs 6 to 8 of Schedule 6 may be given.
- (5) Where the information listed in paragraphs 6 to 8 of Schedule 6 is given under paragraph (3) or (4), the information listed in—
- (a) paragraphs 9 to 14 of that Schedule must be given with that information, and
 - (b) Part 3 of that Schedule must be given.
- (6) This paragraph applies where—
- (a) the member is in receipt of benefits under the scheme;
 - (b) the date referred to in paragraph 4 of Schedule 6 is not more than 2 years before the member's retirement date for the purpose of Part 2 of Schedule 6;
 - (c) in relation to the member—
 - (i) the value, determined in accordance with the relevant guidance, of the member's accrued rights to money purchase benefits under the scheme was less than £5,000 on the last illustration date in respect of which the information listed in Part 2 of Schedule 6 was last given;
 - (ii) since that previous illustration date, no contributions (including transfers of pension rights or pension credits) have been made to the scheme by, or on behalf of, the member in respect of the member's money purchase benefits, and
 - (iii) the trustees or managers of the scheme have previously given notice to the member that the information listed in Part 2 of Schedule 6 will not be given to the member again unless further contributions referred to in head (ii) have been made;
 - (d) in relation to the member—
 - (i) on the first illustration date after 5th April 2003, the value, determined in accordance with the relevant guidance, of the member's accrued rights to money purchase benefits under the scheme was less than £5,000;
 - (ii) no contributions, including transfers of pension rights and pension credits, have been made to the scheme by, or on behalf of, the member after 5th April 2003 in respect of the member's money purchase benefits, and
 - (iii) the trustees or managers of the scheme think that no further such contributions are likely to be made after that illustration date, or
 - (e) the member's benefit is calculated by reference to the greater of a money purchase formula and a defined benefit formula and the trustees or managers of the scheme think the benefit calculated using the money purchase formula is unlikely to affect the pension payable.
- (7) The information to be given under paragraphs (2) to (5) must be given within 12 months of—
- (a) in the case of an occupational pension scheme, the end of each scheme year except where paragraph (9) applies, and
 - (b) in the case of a personal pension scheme—
 - (i) the date—
 - (aa) the person became a member of the scheme, or
 - (bb) contributions were first credited to the scheme in respect of the person, and
 - (ii) each subsequent anniversary of that date.
- (8) Where paragraph (9) applies, the information mentioned in paragraphs (2) to (5) may be given.
- (9) This paragraph applies where—

- (a) the scheme year is the first to end on or after the date the person became a member of the scheme, and
- (b) the end of that scheme year falls at a time when—
 - (i) no contributions have been credited to the scheme in respect of the person, or
 - (ii) the person has the right to opt out of the scheme under section 8 of the Pensions (No. 2) Act (Northern Ireland) 2008⁽¹⁹⁾.

(10) For the purposes of paragraph (6), a part of an occupational pension scheme that provides additional money purchase benefits where the member pays voluntary contributions to that part is to be treated as a separate scheme from any other part of that scheme.

[^{F36}(11) Paragraph (12) applies where—

- (a) information must be given in accordance with this regulation by the trustees or managers of an automatic enrolment scheme to a member, and
- (b) the automatic enrolment scheme is a scheme under which all the benefits which may be payable are money purchase benefits.

(12) Where this paragraph applies—

- (a) the prescribed information must be set out in the form of a statement;
- (b) the prescribed information, and any other information which is included as part of that statement, must not exceed one double-sided sheet of A4-sized paper (being one double-sided sheet of paper with the dimensions 210 by 297 millimetres) when printed, and
- (c) the trustees or managers of the scheme must have regard to guidance published from time to time by the Department concerning content and layout.

(13) The trustees or managers of the scheme may give the prescribed information in a format which does not comply with paragraph (12) in response to a request by a member for it to be provided in an alternative format, where the trustees or managers are reasonably satisfied that it is necessary to do so to comply with their duties under Articles 62 to 66 of the 1995 Order (equal treatment).

(14) For the purposes of paragraphs (12) and (13), prescribed information is the information concerning the member's money purchase benefits given under paragraphs (2) to (5) within the prescribed time in paragraph (7).

(15) For the purposes of paragraph (11)—

“automatic enrolment scheme” has the meaning given in section 78 of the Pensions (No. 2) Act (Northern Ireland) 2008;

“member” does not include a member who is in receipt of benefits under an automatic enrolment scheme (within the meaning in this paragraph).]

Textual Amendments

F36 Reg. 17(11)-(15) inserted (1.10.2022) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Statements of Benefits: Money Purchase Benefits\) \(Amendment\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/208\)](#), regs. 1(1), 2

Commencement Information

I17 Reg. 17 in operation at 6.4.2014, see [reg. 1\(1\)](#)

[^{F37}Statements of benefits: collective money purchase schemes

17A.—(1) The information mentioned in paragraph (2) must be given in accordance with this regulation to a member of a collective money purchase scheme who is not—

- (a) an excluded person, or
- (b) a member to whom benefits under the scheme have, or are about to, become payable.

(2) The information is—

- (a) for active members, the information listed in Parts 1, 2 and 4 of Schedule 6A;
- (b) for deferred members, the information listed in Parts 1, 2, 3 and 5 of Schedule 6A, and
- (c) for pension credit members, the information listed in Parts 1 and 3 of Schedule 6A.

(3) The information must be given—

- (a) no more than 12 months after the effective date of the first actuarial valuation, and
- (b) thereafter, no more than 12 months after the end of each scheme year.

(4) In this regulation, “the effective date” is the date by reference to which the available assets of the scheme are determined.

(5) A notification need not be given under regulation 27 in relation to the information on the website that is also given to the person in accordance with paragraphs 15 and 16 of Schedule 6A.]

Textual Amendments

F37 Reg. 17A inserted (1.8.2022) by [The Occupational Pension Schemes \(Collective Money Purchase Schemes\) \(Modifications and Consequential and Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/192\)](#), regs. 1(1), **13(6)**

PART 6**Lifestyling and accessing benefits****Lifestyling**

18.—(1) The information listed in Part 3 of Schedule 2 must be given to a member in accordance with this regulation where the scheme contains provision for lifestyling.

(2) The information must, subject to paragraph (3), be given between 5 and 15 years before the member’s retirement date.

(3) Information need not be given under paragraph (2) where it has been given in the previous 12 months under regulation 6.

Commencement Information

I18 Reg. 18 in operation at 6.4.2014, see [reg. 1\(1\)](#)

[^{F38}Information to be given on request and on a member providing certain information

18A.—(1) The information mentioned in paragraph (2) must be given in accordance with this regulation to a member who—

- (a) has an opportunity to transfer flexible benefits;

- (b) (i) requests information about what the member may do with the flexible benefits, or
 - (ii) informs the trustees or managers of the scheme that the member is considering, or has made a decision in relation to, what to do with the flexible benefits;
 - (c) (i) will reach normal minimum pension age within 4 months of making a request, or informing the trustees or managers of the scheme, in accordance with subparagraph (b);
 - (ii) has reached normal minimum pension age, or
 - (iii) meets the ill-health condition, and
 - (d) has not been given information under this regulation or regulation 19(2)(b)(ii) in the previous 12 months.
- (2) The information is—
- (a) a statement of the options available to the member under the scheme rules, and
 - (b) that listed in Part 3 of Schedule 7 and [F39, subject to regulation 18C.] in Schedule 9A.
- (3) The information must be given within 2 months of the member making a request, or informing the trustees or managers of the scheme, in accordance with paragraph (1)(b).
- [F40(2A) In relation to a collective money purchase scheme, information given in accordance with paragraph (2)(a) must include a statement that—
- (a) there is no promise or guarantee as to the rate or amount of benefits provided under the scheme, and
 - (b) the rate or amount of benefits may fluctuate, which may result in—
 - (i) reduced benefits before benefit becomes payable;
 - (ii) reduced benefits after benefit becomes payable.]

Textual Amendments

- F38** Regs. 18A-18B inserted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/154\)](#), regs. 1(1), **6**
- F39** Words in [reg. 18A\(2\)\(b\)](#) inserted (1.6.2022) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Requirements to Refer Members to Guidance etc.\) \(Amendment\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/115\)](#), regs. 1(1), **2(4)**
- F40** [Reg. 18A\(2A\)](#) inserted (1.8.2022) by [The Occupational Pension Schemes \(Collective Money Purchase Schemes\) \(Modifications and Consequential and Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/192\)](#), regs. 1(1), **13(7)**

Information to be given on communicating with a member about what the member may do with flexible benefits

18B.—(1) Subject to paragraph (5) [F41 and regulation 18C], the information mentioned in paragraph (2) must be given to a member in accordance with this regulation where—

- (a) the member has an opportunity to transfer flexible benefits;
- (b) the trustees or managers of the scheme contact the member, or the member contacts the trustees or managers of the scheme, in connection with what the member may do with the flexible benefits, and
- (c) the member—

- (i) will reach normal minimum pension age within 4 months of the date on which the contact mentioned in sub-paragraph (b) is made;
 - (ii) has reached normal minimum pension age, or
 - (iii) meets the ill-health condition.
- (2) The information is—
- (a) that listed in paragraphs 1, 4 and 5 of Schedule 9A;
 - (b) that listed in paragraphs 2 and 3 of Schedule 9A, unless the trustees or managers of the scheme—
 - (i) give information under this regulation verbally, and
 - (ii) offer to give the member information about how the member may access the pensions guidance and the offer is declined by the member, and
 - (c) where information has not been given to the member under regulation 18A in the previous 12 months, a statement that—
 - (i) the member may request information about—
 - (aa) the flexible benefits that may be provided to the member;
 - (bb) the member's opportunity to transfer those benefits, and
 - (cc) the options available to the member under the scheme rules, and
 - (ii) the information may help the member to decide what to do with the flexible benefits.
- (3) The information may be given verbally unless the member requests that the information is given in writing.
- (4) The information must be given within 20 days of the contact mentioned in paragraph (1)(b) or the request mentioned in paragraph (3), whichever is later.
- (5) No information is required to be given under this regulation where—
- (a) the member informs the trustees or managers of the scheme that the member has accessed the pensions guidance in the previous 12 months;
 - (b) the member informs the trustees or managers of the scheme that the member has received independent financial advice in the previous 12 months about what the member may do with the flexible benefits, or
 - (c) the trustees or managers of the scheme—
 - (i) have given information to the member under regulation 18A in the 2 months immediately preceding the date on which the contact mentioned in paragraph (1)(b) is made, or
 - (ii) are required to give information to the member under regulation 18A within 2 months of the date on which the contact mentioned in paragraph (1)(b) is made.]

Textual Amendments

- F38** Regs. 18A-18B inserted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/154\)](#), regs. 1(1), **6**
- F41** Words in [reg. 18B\(1\)](#) inserted (1.6.2022) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Requirements to Refer Members to Guidance etc.\) \(Amendment\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/115\)](#), regs. 1(1), **2(5)**

[^{F42}Requirement to refer members and survivors to guidance etc.

18C.—(1) Where this regulation applies, the requirements in the following regulations to provide the information on pensions guidance in Part 1 of Schedule 9A do not apply—

- (a) regulation 18A(1) and (2)(b), and
- (b) regulation 18B(1) and (2).

(2) Subject to paragraph (3), this regulation applies where the trustees or managers of an occupational pension scheme receive on or after 1st June 2022 from any person an application, or communication made in relation to an application, from a relevant beneficiary (“B”)—

- (a) to transfer any rights to flexible benefits accrued by B under the scheme, or
- (b) to start receiving flexible benefits provided by the scheme.

(3) This regulation does not apply where the trustees or managers of an occupational pension scheme receive on or after 1st June 2022 from any person an application, or communication made in relation to an application, from B to transfer rights in accordance with paragraph (2)(a) if—

- (a) B is under the age of 50;
- (b) receiving flexible benefits is not the purpose, or one of the purposes, of the application, or
- (c) the trustees or managers have received from B or a person authorised to act on behalf of B confirmation (given verbally or in writing) in relation to the application that—

(i) B—

(aa) has been referred by the trustees or managers of a different pension scheme to appropriate pensions guidance, and

(bb) has received or opted out of receiving that guidance, in accordance with the requirements of this regulation, or

(ii) B is transferring rights to flexible benefits into a relevant pension scheme in respect of which the trustees or managers are required to comply with rules made under section 137FB of the Financial Services and Markets Act 2000 (FCA general rules: disclosure of information about the availability of pensions guidance).

(4) As part of the application process, the trustees or managers—

- (a) must offer to book a pensions guidance appointment on behalf of B on a date, at a time and of a kind suitable for B;
- (b) where B accepts the offer mentioned in sub-paragraph (a), must take reasonable steps to book that appointment;
- (c) where B does not accept that offer, or where the trustees or managers are unable to book such an appointment on a date, at a time and of a kind suitable for B despite having taken reasonable steps, must provide B with details of how to book a pensions guidance appointment;
- (d) must explain to B that they cannot, proceed with the application unless—
 - (i) B has received, and notified them of receipt of, appropriate pensions guidance, or
 - (ii) B opts out of receiving such guidance by giving them an opt-out notification, and
- (e) must explain to B that B can only opt out of receiving appropriate pensions guidance by giving them an opt-out notification.

(5) Where the trustees or managers receive an application, or communication made in relation to an application, as mentioned in paragraph (2), B may give an opt-out notification—

- (a) in a communication made solely for the purpose of opting out of receiving appropriate pensions guidance, or

- (b) where paragraph (9) applies.
- (6) Paragraph (7) applies to any interaction subsequent to the interaction mentioned in paragraph (4) where B contacts the trustees or managers in connection with B’s application unless—
- (a) B has confirmed to the trustees or managers that B has received appropriate pensions guidance in connection with the application, or
 - (b) B has provided to the trustees or managers an opt-out notification in a communication made solely for the purpose of opting out of receiving appropriate pensions guidance.
- (7) Where this paragraph applies, the trustees or managers must repeat the steps required by paragraph (4).
- (8) If, at any point while the trustees or managers are repeating the steps required by paragraph (4) by virtue of paragraph (7), B confirms to them that B has received appropriate pensions guidance in connection with the application, the trustees or managers may treat the requirements of paragraph (4) as having been satisfied.
- (9) This paragraph applies where the trustees or managers have received from B or a person authorised to act on behalf of B confirmation (given verbally or in writing) that—
- (a) B has received—
 - (i) appropriate pensions guidance, or
 - (ii) regulated financial advice in connection with the application, provided by a financial adviser regulated and authorised by the Financial Conduct Authority to provide such advice,
 in the 12-month period (excluding the date of receipt) before the trustees or managers received an application, or communication made in relation to an application, as mentioned in paragraph (2);
 - (b) B qualifies for a serious ill-health lump sum within the meaning of paragraph 4(1) of Schedule 29 to the Finance Act 2004, or
 - (c) B’s application is solely to transfer any of their rights to flexible benefits accrued under the scheme.
- (10) In this regulation—
- “appropriate pensions guidance” means pensions guidance accessible by B during a pensions guidance appointment which includes the facility for real-time human interaction between the parties during the appointment (whether face to face, by telephone or through another electronic medium);
- “opt-out notification” means a notification (given verbally or in writing) given to the trustees or managers of an occupational pension scheme for the purpose of confirming that B is opting out of receiving appropriate pensions guidance in connection with an application or communication made in relation to an application;
- “pensions guidance appointment” means an appointment of B with the provider of appropriate pensions guidance;
- “regulated financial advice” means advice of a kind mentioned in Article 53 of the Financial Services and Markets Act (Regulated Activities) Order 2001 (advising on investments);
- “relevant beneficiary” has the meaning given by the definition in section 109B(6) of the 1993 Act and for the purposes of paragraph (b) of that definition another person of a prescribed description is a survivor of a member.

Textual Amendments

- F42** Regs. 18C-18E inserted (1.6.2022) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Requirements to Refer Members to Guidance etc.\) \(Amendment\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/115\)](#), regs. 1(1), **2(6)**

Consequential modifications of sections 95 and 97J of the 1993 Act

18D.—(1) The 1993 Act has effect subject to the following modifications.

(2) Where regulation 18C of these Regulations applies in relation to an application under section 91(1) of the 1993 Act (ways of taking right to cash equivalent), section 95(2)(b) of the 1993 Act (trustees' duties after exercise of option) has effect as if the duty it imposes only applies if, within the 6-month period to which it refers, the requirements under that regulation for proceeding with the application have been satisfied.

(3) Where regulation 18C of these Regulations applies in relation to the requirement under section 97G(4) of the 1993 Act (restrictions on power to give transfer notice) for a member to make an application under section 91(1) of the 1993 Act in addition to giving a transfer notice, section 97J(1)(b) of the 1993 Act (time for compliance with transfer notice) has effect as if the duty it imposes only applies if, within the 6-month period to which it refers, the requirements under that regulation for proceeding with the application have been satisfied.

Textual Amendments

- F42** Regs. 18C-18E inserted (1.6.2022) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Requirements to Refer Members to Guidance etc.\) \(Amendment\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/115\)](#), regs. 1(1), **2(6)**

Record-keeping requirements of trustees and managers

18E.—(1) The trustees or managers of an occupational pension scheme must, in respect of a relevant beneficiary (“B”), keep a record of—

- (a) the receipt by B of appropriate pensions guidance in connection with an application, or communication made in relation to an application, from B under regulation 18C(2);
- (b) the provision to them by B of an opt-out notification in connection with an application, or communication made in relation to an application, from B under regulation 18C(2), or
- (c) the receipt of a confirmation referred to in regulation 18C(9).

(2) For the purposes of paragraph (1), “relevant beneficiary”, “appropriate pensions guidance” and “opt-out notification” have the meanings given in regulation 18C(10).]

Textual Amendments

- F42** Regs. 18C-18E inserted (1.6.2022) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Requirements to Refer Members to Guidance etc.\) \(Amendment\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/115\)](#), regs. 1(1), **2(6)**

First information on accessing benefits

19.—(1) The information mentioned in paragraph (2) must be given in accordance with this regulation to a member who has [^{F43}a right or entitlement to flexible benefits] .

[^{F44}(2) The information is—

(a) where the member has been given information in accordance with regulation 18A in the 12 months before the date on which the trustees or managers of the scheme give information under this regulation—

(i) a statement that the member has been given information about—

(aa) the flexible benefits that may be provided to the member;

(bb) the member’s opportunity to transfer those benefits, and

(cc) the options available to the member under the scheme rules, and

(ii) that listed in paragraphs 1 to 9 of Schedule 9A, and

(b) in any other case—

(i) a statement of the options available to the member under the scheme rules, and

(ii) where the member has an opportunity to transfer flexible benefits, that listed in Part 3 of Schedule 7 and in Schedule 9A.]

(3) The information must be given at least 4 months before—

(a) where there is a retirement date, that date, or

(b) where there is no retirement date, the date the member attains normal pension age⁽²⁰⁾.

(4) For the purposes of paragraph (3), where the interval between the date on which the retirement date is specified and the date that the benefits will become payable is less than 4 months, the information must be given within [^{F45}20] days of the date on which the retirement date is specified.

(5) In this regulation “retirement date” means the date specified by—

(a) the member to the trustees or managers of the scheme that is acceptable under the rules of the scheme, or

(b) the trustees or managers of the scheme where no acceptable date has been specified under sub-paragraph (a).

Textual Amendments

F43 Words in [reg. 19\(1\)](#) substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/154\)](#), [regs. 1\(1\)](#), [7\(2\)](#)

F44 [Reg. 19\(2\)](#) substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/154\)](#), [regs. 1\(1\)](#), [7\(3\)](#)

F45 Word in [reg. 19\(4\)](#) substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/154\)](#), [regs. 1\(1\)](#), [7\(4\)](#)

Commencement Information

I19 [Reg. 19](#) in operation at 6.4.2014, see [reg. 1\(1\)](#)

[F46] Retirement risk warnings

19A.—(1) Subject to paragraphs (5) and (7), the trustees or managers of the scheme must give a retirement risk warning to a member in accordance with this regulation where they are giving a member—

- (a) information in accordance with regulation 18A, 18B or 19 or the member has been given such information previously, and
- (b) an application form, online access, information about access or any other method of access that enables the member to require the trustees or managers of the scheme to take any of the actions in paragraph (2).

(2) The actions referred to in paragraph 1(b) are—

- (a) the application of sums or assets held for the purpose of providing flexible benefits for purchasing an annuity;
- (b) the payment of a lump sum in respect of flexible benefits, or
- (c) the designation of sums or assets held for the purpose of providing flexible benefits as available for the payment of drawdown pension.

(3) A retirement risk warning under paragraph (1) must be given at the same time as the method of access in paragraph (1)(b) and before any of the actions set out in paragraph (2) are concluded.

(4) When giving a retirement risk warning to a member, the trustees or managers of the scheme must also give the member a statement that asks the member to note the importance of—

- (a) reading the retirement risk warning, and
- (b) accessing pensions guidance or independent advice.

(5) A retirement risk warning for any specific action in paragraph (2) need not be given to a member within 12 months of a retirement risk warning for that action having been given in accordance with this regulation to that member.

(6) For the purpose of—

- (a) this regulation, “retirement risk warning” means a statement that sets out the characteristic attributes and features of an annuity, lump sum and drawdown pension referred to in paragraph (2) and the factors in sub-paragraph (b)(iv), and

(b) sub-paragraph (a)—

- (i) the statement must be generic in nature and not tailored to or based on the personal circumstances of any individual member;
- (ii) the statement may be limited to the characteristic attributes and features of an annuity, lump sum or drawdown pension referred to in paragraph (2) in respect of which the trustees or scheme managers are giving the member a method of access in paragraph (1)(b);
- (iii) characteristic attributes and features are those that have the potential to adversely affect the retirement income of any member or their widow, widower, surviving civil partner, nominee, successor or other dependant, and
- (iv) the factors are those that have the potential to affect the appropriateness of an annuity, lump sum and drawdown pension for a member such as: the impact of health status and lifestyle choices; whether a member has dependants, is in debt or in receipt of means tested benefits; and any other relevant factors.

(7) Subject to paragraph (8)—

- (a) a retirement risk warning under paragraph (1) need not be given where the trustees or managers of the scheme give the member an appropriate risk warning before any of the actions listed in paragraph (2) are concluded;
 - (b) an appropriate risk warning must be given either verbally or in writing;
 - (c) for the purposes of sub-paragraphs (a) and (b), an appropriate risk warning is a statement—
 - (i) that sets out the risks associated with any of the actions listed in paragraph (2) that the member is proposing to require the trustees or managers of the scheme to take and that have the potential to adversely affect the retirement income of that member or their widow, widower, surviving civil partner, nominee, successor or other dependant, and
 - (ii) that is based on the characteristic attributes and features of an annuity, lump sum or drawdown pension referred to in paragraph (2) and answers to questions the trustees or managers of the scheme have asked the member in order to identify any factors or other variables that increase the risks referred to in head (i).
- (8) Paragraph (7) only applies where trustees or managers of the scheme have—
- (a) asked the member whether the member has received pensions guidance or independent advice, and
 - (b) if the member has not received such guidance or advice, or is unsure, encouraged the member to use pensions guidance or to take independent advice to understand the options available to that member at retirement.]

Textual Amendments

F46 Reg. 19A inserted (6.4.2016) by [The Pension Protection Fund and Occupational and Personal Pension Schemes \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/165\)](#), regs. 1, 9

Second information on accessing benefits

20.—(1) The information mentioned in paragraph (2) must be given to a person in accordance with this regulation where benefit under the scheme has, or is about to, become payable to the person.

- (2) The information is the information listed—
- (a) in paragraphs 6 to 9 of [^{F47}Schedule 7;]
 - (b) in Part 1 of that Schedule where the person has an opportunity to select an annuity under any rights and options in relation to the death of the [^{F48}member, and]
 - [^{F49}(c) in Part 1 of Schedule 9A where the person, under any rights and options in relation to the death of the member, has an opportunity to—
 - (i) transfer accrued rights to flexible benefits out of the scheme under the scheme rules;
 - (ii) apply sums or assets held for the purpose of providing flexible benefits for purchasing an annuity;
 - (iii) take payment of a lump sum in respect of flexible benefits, or
 - (iv) designate sums or assets held for the purpose of providing flexible benefits as available for the payment of drawdown pension.]
- (3) The information mentioned in paragraph (2)(a) must be given—
- (a) where benefit becomes payable on or after normal pension age before benefit becomes payable, if practicable and in any event within one month after benefit becomes payable, or

- (b) where benefit becomes payable on a date before normal pension age, within 2 months of that date.

[^{F50}(4) Before benefit becomes payable—

- (a) the information mentioned in sub-paragraph (b) of paragraph (2) must be given to a person having the opportunity mentioned in that sub-paragraph;
- (b) the information mentioned in sub-paragraph (c) of paragraph (2) must be given to a person having an opportunity mentioned in that sub-paragraph.]

Textual Amendments

- F47** Words in reg. 20(2)(a) substituted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **8(2)(a)**
- F48** Words in reg. 20(2)(b) substituted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **8(2)(b)**
- F49** Reg. 20(2)(c) added (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **8(2)(c)**
- F50** Reg. 20(4) substituted (6.4.2015) by The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2015 (S.R. 2015/154), regs. 1(1), **8(3)**

Commencement Information

- I20** Reg. 20 in operation at 6.4.2014, see **reg. 1(1)**

Accessing benefits on the death of the member or beneficiary

21.—(1) The information mentioned in paragraph (2) must be given in accordance with this regulation where the trustees or managers of the scheme are aware that—

- (a) a member or beneficiary of the scheme has died, and
- (b) a person may be entitled to exercise rights or options under the scheme as a result of that death.
- (2) The information is the information listed in—
- (a) Part 1 of, and paragraphs 8 to 10 of, Schedule 7 where the person referred to in paragraph (1)(b) has an opportunity to select an [^{F51}annuity;]
- (b) Part 2 of that Schedule in any other [^{F52}case, and]
- [^{F53}(c) Part 1 of Schedule 9A where the person has an opportunity to—
- (i) transfer accrued rights to flexible benefits out of the scheme under the scheme rules;
- (ii) apply sums or assets held for the purpose of providing flexible benefits for purchasing an annuity;
- (iii) take payment of a lump sum in respect of flexible benefits, or
- (iv) designate sums or assets held for the purpose of providing flexible benefits as available for the payment of drawdown pension.]
- (3) The information must be given to—

Status: Point in time view as at 06/04/2023.

Changes to legislation: There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014. (See end of Document for details)

- (a) the person referred to in paragraph (1)(b), if that person is at least 18 years old and the trustees or managers of the scheme know that person's postal address or electronic address, and
- (b) subject to paragraph (4), a person who is—
 - (i) a personal representative of the member or beneficiary of the scheme, or
 - (ii) authorised to act on behalf of the person referred to in paragraph (1)(b).
- (4) For the purposes of paragraph (3), the information—
 - (a) must be given only where the personal representative or the person authorised to act requests it, and
 - (b) need not be given where a request is made within 3 years of the same information being given under this regulation to the same person in the same capacity.
- (5) The information must be given as soon as practicable and in any event within 2 months of—
 - (a) the date on which the trustees or managers of the scheme become aware of the death, or
 - (b) the request referred to in paragraph (4).

Textual Amendments

- F51** Words in [reg. 21\(2\)\(a\)](#) substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/154\)](#), [regs. 1\(1\), 9\(a\)](#)
- F52** Words in [reg. 21\(2\)\(b\)](#) substituted (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/154\)](#), [regs. 1\(1\), 9\(b\)](#)
- F53** [Reg. 21\(2\)\(c\)](#) added (6.4.2015) by [The Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/154\)](#), [regs. 1\(1\), 9\(c\)](#)

Commencement Information

- I21** [Reg. 21](#) in operation at 6.4.2014, see [reg. 1\(1\)](#)

PART 7

Information about benefits in payment

Changes to benefits

22.—(1) The information listed in paragraphs 6, 8 and 9 of Schedule 7 must be given to a person in accordance with paragraph (2) where—

- (a) the amount of benefit payable to the person alters, and
- (b) that alteration is not made in accordance with the provisions referred to in paragraph 7(b) of Schedule 7.

(2) The information must be given before the date on which the decision to alter the benefit takes effect, where practicable and in any event within one month of that date.

[^{F54}(3) This regulation does not apply where regulation 22B applies.]

Textual Amendments

F54 Reg. 22(3) added (1.8.2022) by The Occupational Pension Schemes (Collective Money Purchase Schemes) (Modifications and Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2022 (S.R. 2022/192), regs. 1(1), **13(8)**

Commencement Information

I22 Reg. 22 in operation at 6.4.2014, see **reg. 1(1)**

[^{F55}Benefit adjustment information: collective money purchase schemes

22A.—(1) Information listed in paragraphs 15 to 20 of Schedule 7 must be provided in accordance with this regulation to members and beneficiaries of a collective money purchase scheme.

(2) The information must be given each time an actuarial valuation is obtained—

- (a) as soon as reasonably practicable after the certification of the actuarial valuation by the scheme actuary, and
- (b) no less than 6 weeks before any adjustment to the rate or amount of benefits provided under the scheme following the latest actuarial valuation is applied, where reasonably practicable.

Textual Amendments

F55 Regs. 22A, 22B inserted (1.8.2022) by The Occupational Pension Schemes (Collective Money Purchase Schemes) (Modifications and Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2022 (S.R. 2022/192), regs. 1(1), **13(9)**

Incorrect benefit adjustments in collective money purchase schemes

22B.—(1) The information listed in paragraphs 21 to 27 of Schedule 7 must be given in accordance with this regulation where—

- (a) the scheme is a collective money purchase scheme, and
- (b) a benefit adjustment has not been applied in accordance with the scheme rules or (as the case may be) the latest actuarial valuation.

(2) The information must be given as soon as reasonably practicable to members and beneficiaries who have been or will be affected by the failure to apply the benefit adjustment in accordance with the scheme rules or (as the case may be) the latest actuarial valuation.]

Textual Amendments

F55 Regs. 22A, 22B inserted (1.8.2022) by The Occupational Pension Schemes (Collective Money Purchase Schemes) (Modifications and Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2022 (S.R. 2022/192), regs. 1(1), **13(9)**

PART 8

Information about winding up

Personal pension schemes that have begun winding up

23.—(1) The information mentioned in paragraph (3) must be given to members, except excluded persons, in accordance with this regulation.

(2) The information must be given where a decision has been made to wind up the scheme or to cease accepting contributions or to cause the scheme to cease to manage the contributions already paid to it (“the decision”).

(3) The information is—

- (a) notification of the decision;
- (b) the information listed in paragraphs 11 to 13 of Schedule 8;
- (c) the information listed in paragraph 14 of Schedule 8 where the scheme is unable to meet in full its liabilities to its members.

(4) The information must be given as soon as practicable after the decision and, in any event—

- (a) the notification referred to in paragraph (3)(a) must be given within one month, and
- (b) the information mentioned in paragraph (3)(b) and (c) must be given within 4 months,

of the decision.

Commencement Information

I23 Reg. 23 in operation at 6.4.2014, see [reg. 1\(1\)](#)

Occupational pension schemes during winding up

24.—(1) The information mentioned in paragraph (2) must be given to members and beneficiaries of the scheme, except excluded persons, in accordance with this regulation where the trustees have begun to wind up the scheme.

(2) The information is the information listed in—

- (a) Part 1 of Schedule 8;
- (b) paragraphs 5, 6 and 7 of that Schedule;
- (c) Part 4 of that Schedule.

(3) Where the trustees begin to wind up the scheme on a date on or after 6th April 2014—

- (a) the information mentioned in paragraph (2)(a) must be given as soon as practicable and in any event within no more than one month of that date, and
- (b) the information mentioned in paragraph (2)(b) must be given within every 12 months of the date information was given under sub-paragraph (a) until the trustees complete winding up the scheme.

(4) Where the trustees began to wind up the scheme before 6th April 2014, the information mentioned in paragraph (2)(b) must be given within 12 months of 6th April 2014 and within every 12 months thereafter until the trustees complete winding up the scheme.

(5) Where a request is made for the information mentioned in paragraph (2)(c), it must be given within 2 months of the date the request is made.

(6) For the purposes of this regulation, the date the trustees begin to wind up the scheme is to be determined—

[^{F56}(za) in relation to a collective money purchase scheme, in accordance with paragraph 4 of Schedule 6 to the Occupational Pension Schemes (Collective Money Purchase Schemes) Regulations (Northern Ireland) 2022 (continuity option 1: transfer out and winding up);]

(a) in a case where regulation 2 of the Occupational Pension Schemes (Winding Up) Regulations (Northern Ireland) 1996(**21**) (commencement of winding up) applies, in accordance with that regulation, and

(b) in any other case, in accordance with Article 121(4)(**22**) and (5) of the 1995 Order.

(7) Where a scheme is a sectionalised scheme, this regulation applies as if—

(a) each section of the scheme were a separate scheme, and

(b) the members of each section were the members of a separate scheme.

(8) For the purposes of paragraph (7), a sectionalised scheme is a scheme where—

(a) Part 4 of the 2005 Order applies to the scheme as if a section of a scheme were a separate scheme by virtue of paragraph 1 of Schedule 2 to the Occupational Pension Schemes (Scheme Funding) Regulations (Northern Ireland) 2005(**23**) (sectionalised multi-employer schemes), or

(b) Part 4 of the 2005 Order does not apply to the scheme, but would apply in that way if it did.

Textual Amendments

F56 Reg. 24(6)(za) inserted (1.8.2022) by [The Occupational Pension Schemes \(Collective Money Purchase Schemes\) \(Modifications and Consequential and Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2022](#) (S.R. 2022/192), regs. 1(1), **13(10)**

Commencement Information

I24 Reg. 24 in operation at 6.4.2014, see [reg. 1\(1\)](#)

Occupational pension schemes after winding up for individual members

25.—(1) The information mentioned in paragraph (2) must be given in accordance with this regulation where—

(a) the scheme is being wound up, and

(b) the trustees or managers of the scheme have done what they can to discharge the scheme's liabilities for a particular member or beneficiary of the scheme.

(2) The information is—

[^{F57}(a) where the member or beneficiary of the scheme—

(i) has rights to benefits other than money purchase benefits, the information mentioned in Part 2 of Schedule 8, or

(ii) has rights to money purchase benefits, the information mentioned in paragraph 10 of Schedule 8, and]

(b) where the member or beneficiary of the scheme is, for the time being—

(21) S.R. 1996 No. 621; regulation 2 was amended by paragraph 1 of the Schedule to S.R. 2005 No. 171

(22) Paragraphs (4) and (5) were added by section 45(2) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 and amended by paragraph 63(3) and (4) of Schedule 10 to the Pensions (Northern Ireland) Order 2005

(23) S.R. 2005 No. 268

Status: Point in time view as at 06/04/2023.

Changes to legislation: There are currently no known outstanding effects for the *The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014*. (See end of Document for details)

- (i) entitled to payment of benefits, the information listed in paragraphs 6 and 7 of Schedule 7, or
- (ii) except in relation to money purchase benefits, not entitled to payment of benefits, the information listed in paragraph 16 of Schedule 8.

(3) The information mentioned in paragraph (2) must be given to the member or beneficiary of the scheme except that an excluded person need not be given the information mentioned in paragraph (2)(b)(ii).

(4) The information must be given as soon as practicable after, and in any event within no more than 3 months of, the date paragraph (1)(b) is satisfied.

Textual Amendments

F57 Reg. 25(2)(a) substituted (24.7.2014) by [The Pensions \(2012 Act\) \(Transitional, Consequential and Supplementary Provisions\) Regulations \(Northern Ireland\) 2014](#) (S.R. 2014/204), regs. 1(1), **73(5)**

Commencement Information

I25 Reg. 25 in operation at 6.4.2014, see [reg. 1\(1\)](#)

PART 9

Giving information and documents

Giving information and documents

26.—(1) Except where these Regulations otherwise provide, the methods for giving information or documents that these Regulations require to be given include the methods set out in paragraph (2).

- (2) The information may be given by—
 - (a) sending it (including by ordinary post) to the person’s last known postal address, or
 - (b) subject to paragraphs (3) to (5), using either or both of the following methods—
 - (i) sending it to the person’s last known electronic address;
 - (ii) making it available on a website (see regulation 27).
- (3) Where a member or beneficiary of the scheme has requested in writing that—
 - (a) any of the information, or
 - (b) all of the information,

is not given in accordance with paragraph (2)(b), that information may not be given in accordance with paragraph (2)(b).

(4) Information may only be given by an electronic communication where the trustees or managers of the scheme are satisfied that the electronic communications have been designed—

- (a) so that the person will be able to—
 - (i) get access to, and
 - (ii) store or print,
 the information, and
- (b) taking into account the requirements of disabled persons.

[^{F58}(4A) The provisions of paragraph (4) do not apply where regulation 29A applies to the information.]

(5) Where—

- (a) a member or beneficiary of the scheme was a member or beneficiary of the scheme on 1st December 2010, and
- (b) information was not given by the trustees or managers of the scheme before that date by the methods described in paragraph (2)(b),

information may not be given to that member or beneficiary of the scheme in accordance with paragraph (2)(b) unless the trustees or managers of the scheme have given that member or beneficiary the written notice referred to in paragraph (6).

(6) The written notice mentioned in paragraph (5) must state that—

- (a) the trustees or managers of the scheme propose to give information to the member or beneficiary of the scheme by means of an electronic communication, and
- (b) the member or beneficiary of the scheme may request in writing that information is not given by means of an electronic communication.

(7) The written notice mentioned in paragraph (5) must not be given by the methods mentioned in paragraph (2)(b).

Textual Amendments

F58 Reg. 26(4A) inserted (6.4.2018) by [The Occupational Pension Schemes \(Administration and Disclosure\) \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/53\)](#), regs. 1(1), **3(4)**

Commencement Information

I26 Reg. 26 in operation at 6.4.2014, see [reg. 1\(1\)](#)

Provision of information on a website

27.—(1) [^{F59}Except where [^{F60}regulations 29A and 29B provide] otherwise, where a website] is used for the first time to make available the information or document, a notification must be given to the recipient.

(2) The notification referred to in paragraph (1) must include—

- (a) a statement that the information or document is available on the website;
- (b) the website address;
- (c) details of the place on the website where the information or document may be read, and
- (d) an explanation of how the recipient may read the information or document on the website.

(3) Subject to regulation 28, each time a website is used at a subsequent time to make available information or documents, a notification must be given to the recipient.

(4) The notification referred to in paragraph (3) must state that the information or document is available on the website.

(5) The notifications mentioned in paragraphs (1) and (3) must not be given by making them available on a website.

Textual Amendments

- F59** Words in [reg. 27\(1\)](#) substituted (6.4.2018) by [The Occupational Pension Schemes \(Administration and Disclosure\) \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/53\)](#), regs. 1(1), **3(5)**
- F60** Words in [reg. 27\(1\)](#) substituted (1.8.2022) by [The Occupational Pension Schemes \(Collective Money Purchase Schemes\) \(Modifications and Consequential and Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/192\)](#), regs. 1(1), **13(11)**

Commencement Information

- I27** Reg. 27 in operation at 6.4.2014, see [reg. 1\(1\)](#)

Provision of information on a website: supplemental

28.—(1) The notification mentioned in regulation 27(3) need not be given where paragraphs (2) to (4) are satisfied.

(2) This paragraph is satisfied where—

- (a) the trustees or managers of the scheme have given the recipient at least 2 documents by either of the following methods—
- (i) given by hand, or
 - (ii) sent to the recipient's last known postal address, and
- (b) each of those documents—
- (i) asks the recipient to give that recipient's electronic address to the trustees or managers of the scheme except where the trustees or managers of the scheme do not have the facility for sending information or documents to that address, and
 - (ii) states that the recipient may request in writing that information or documents are not given by means of an electronic communication.

(3) This paragraph is satisfied where—

- (a) paragraph (2) is satisfied, and
- (b) the trustees or managers of the scheme have given the recipient, by either of the methods mentioned in paragraph (2)(a), a further document that—
- (i) meets the requirements of paragraph (2)(b), and
 - (ii) states that further information and documents will be available to read on the website and that no further notifications will be sent to the recipient.

(4) This paragraph is satisfied where—

- (a) paragraphs (2) and (3) are satisfied, and
- (b) the trustees or managers of the scheme—
- (i) do not know the recipient's electronic address or do not have the facility for sending information or documents to that address, and
 - (ii) have not received a written request that information or documents are not given to the recipient by means of an electronic communication.

(5) Where the information to be made available is that required by regulation 17(1), the notification mentioned in regulation 27(3) need only be given as required by regulation 17(7).

Commencement Information

I28 Reg. 28 in operation at 6.4.2014, see **reg. 1(1)**

Giving information and documents in certain cases

29.—(1) Information or documents to be given in accordance with this regulation are to be given as follows.

(2) Where the person or recognised trade union makes a request for the information in hard copy form, the trustees or managers of the scheme must, subject to paragraph (3), give the information in that form and if a charge is levied for giving the information in that form, it must not exceed the cost of producing and giving it.

(3) Where the information in hard copy form is publicly available, the trustees or managers of the scheme may give details of where it is publicly available instead of giving it under paragraph (2).

(4) Where the person or recognised trade union makes a request for the information other than in hard copy form, it may be made available free of charge—

- (a) for inspection at a place that is reasonable having regard to who made the request, or
- (b) on a website.

(5) For the purposes of paragraph (4)(b), the provisions of regulations 27 and 28 do not apply except that the trustees or managers of the scheme must give the notification described in regulation 27(2) to the person or recognised trade union who requested the information.

(6) Information is in “hard copy form” if it is given in a paper copy or similar form capable of being read.

Commencement Information

I29 Reg. 29 in operation at 6.4.2014, see **reg. 1(1)**

[^{F61}Publishing charges and transaction costs [^{F62}and other relevant information]

29A.—(1) Where the scheme is a relevant scheme within the meaning of the Occupational Pension Schemes (Scheme Administration) Regulations (Northern Ireland) 1997, the information specified in paragraph (2) [^{F63}and, where that scheme falls within Article 35 of the 1995 Order (investment principles), paragraph (2A)] must be made publicly available free of charge on a website in accordance with this regulation.

(2) The specified information is the information which must be included in the most recent statement prepared under regulation 23 of those Regulations (annual statement regarding governance) in accordance with the following paragraphs of that regulation—

- (a) paragraph (1)(a);
 - [paragraph (1)(aza);]
^{F64}(aza)
 - [paragraph (1)(aa);]
^{F65}(aa)
- (b) paragraph (1)(c), ^{F66}...
 - [paragraph (1)(cza);]
^{F67}(ba)

Status: Point in time view as at 06/04/2023.

Changes to legislation: There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014. (See end of Document for details)

- (c) paragraph [F68(1)(ca);][F69 and
 (d) paragraph [F70(1)(cb), and]]
 [paragraph (1)(cc).]
 F71(e)
 [
- F72(2A) The specified information is—
- (a) the latest statement of investment principles governing decisions about investments prepared for the scheme under Article 35 of the 1995 Order, and
 - (b) the information which must be included in the most recent document prepared under regulation 12 in accordance with paragraph 30(f) of Schedule 3.]
- (3) Where this regulation applies—
- (a) a notification need not be given under regulation 27 in relation to the information on the website where information is given to the person in accordance with paragraph 5B(a) of Schedule 6;
 - (b) the trustees or managers of the scheme must have regard to guidance prepared from time to time by the Department concerning the publication of the information.
- (4) Where a person requests the trustees or managers of the scheme to provide the information referred to in paragraph (2) [F73, (2A) or (2B)] in hard copy form, the trustees or managers of the scheme must give that information to the person in hard copy form only where the trustees or managers are satisfied that it would be unreasonable for that person to obtain it from the website on which it is published.
- (5) Where information is required to be given in hard copy form in accordance with paragraph (4), it must be given within 2 months of the date the request is made.]

Textual Amendments

- F61** Reg. 29A inserted (6.4.2018) by [The Occupational Pension Schemes \(Administration and Disclosure\) \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/53\)](#), regs. 1(1), **3(6)**
- F62** Words in reg. 29A heading inserted (1.10.2019) by [The Pension Protection Fund \(Pensionable Service\) and Occupational Pension Schemes \(Investment and Disclosure\) \(Amendment and Modification\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/165\)](#), regs. 1(1), **5(3)**
- F63** Words in reg. 29A(1) inserted (1.10.2019) by [The Pension Protection Fund \(Pensionable Service\) and Occupational Pension Schemes \(Investment and Disclosure\) \(Amendment and Modification\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/165\)](#), regs. 1(1), **5(4)(a)**
- F64** Reg. 29A(2)(aza) inserted (with application in accordance with reg. 1(3) of the amending Rule) by [The Occupational Pension Schemes \(Administration, Investment, Charges and Governance\) \(Amendment\) Regulations \(Northern Ireland\) 2023 \(S.R. 2023/62\)](#), regs. 1(1), **4(a)**
- F65** Reg. 29A(2)(aa) inserted (1.10.2022) by [The Occupational Pension Schemes \(Administration, Investment and Charges and Governance\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/272\)](#), regs. 1(1), **5(a)(i)**
- F66** Word in reg. 29A(2)(b) omitted (1.10.2022) by virtue of [The Occupational Pension Schemes \(Administration, Investment and Charges and Governance\) \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/272\)](#), regs. 1(1), **5(a)(ii)**
- F67** Reg. 29A(2)(ba) inserted (1.8.2022) by [The Occupational Pension Schemes \(Collective Money Purchase Schemes\) \(Modifications and Consequential and Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2022 \(S.R. 2022/192\)](#), regs. 1(1), **13(12)**

- F68** Words in reg. 29A(2)(c) substituted (with application in accordance with reg. 1(4) of the amending Rule) by The Occupational Pension Schemes (Administration, Investment, Charges and Governance) (Amendment) Regulations (Northern Ireland) 2023 (S.R. 2023/62), regs. 1(1), **4(b)**
- F69** Reg. 29A(2)(d) and word inserted (1.10.2022) by The Occupational Pension Schemes (Administration, Investment and Charges and Governance) (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/272), regs. 1(1), **5(a)(iii)**
- F70** Words in reg. 29A(2)(d) substituted (with application in accordance with reg. 1(4) of the amending Rule) by The Occupational Pension Schemes (Administration, Investment, Charges and Governance) (Amendment) Regulations (Northern Ireland) 2023 (S.R. 2023/62), regs. 1(1), **4(c)**
- F71** Reg. 29A(2)(e) added (with application in accordance with reg. 1(4) of the amending Rule) by The Occupational Pension Schemes (Administration, Investment, Charges and Governance) (Amendment) Regulations (Northern Ireland) 2023 (S.R. 2023/62), regs. 1(1), **4(d)**
- F72** Reg. 29A(2A) inserted (1.10.2020 for specified purposes) by The Pension Protection Fund (Pensionable Service) and Occupational Pension Schemes (Investment and Disclosure) (Amendment and Modification) Regulations (Northern Ireland) 2018 (S.R. 2018/165), regs. 1(3)(b), **5(4)(b)**
- F73** Words in reg. 29A(4) inserted (1.10.2019) by The Pension Protection Fund (Pensionable Service) and Occupational Pension Schemes (Investment and Disclosure) (Amendment and Modification) Regulations (Northern Ireland) 2018 (S.R. 2018/165), regs. 1(1), **5(4)(c)**

[^{F74}Additional publication requirements for collective money purchase schemes

29B.—(1) In relation to a collective money purchase scheme, the information specified in paragraphs (2) to (4) must be published in accordance with this regulation.

(2) The following information must be published no more than one month after the date on which the Regulator notifies the applicant of its decision to authorise the scheme—

- (a) a statement explaining the design of the scheme, which must contain the information listed in Part 1 of Schedule 9B, and
- (b) the scheme’s rules.

(3) The information listed in Part 2 of Schedule 9B must be published no more than 3 months after the latest actuarial valuation is sent to the Regulator.

(4) The model used to calculate information specified in paragraphs 5, 6, 19, 20 and 23 to 25 of Schedule 6A must be published as soon as reasonably practicable after information is first provided in accordance with regulation 17A.

(5) Where there is a change in relation to the information listed in paragraph 4 or 5 of Schedule 9B, the statement mentioned in sub-paragraph (2)(a) must be altered accordingly, and published before or as soon as practicable after the change.

(6) Each time the document specified in sub-paragraph (2)(b) is changed after it is first published, the changed version must be published before or as soon as possible after (and in any event within 3 months after) the change.

(7) A notification need not be given under regulation 27 in relation to the information on the website that is published in accordance with this regulation.

(8) Where a person requests the trustees of the scheme to provide the information referred to in paragraph (2), (3) or (4) in hard copy form, the trustees of the scheme must give that information to the person in hard copy form where, but only where, the trustees are satisfied that it would be unreasonable for that person to obtain it from the website on which it is published.

(9) Where information is required to be given in hard copy form in accordance with paragraph (8), it must be given within 2 months of the date the request is made.

(10) In this regulation, “published” means made publicly available free of charge on a website.]

Status: Point in time view as at 06/04/2023.

Changes to legislation: There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014. (See end of Document for details)

Textual Amendments

- F74** Reg. 29B inserted (1.8.2022) by The Occupational Pension Schemes (Collective Money Purchase Schemes) (Modifications and Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2022 (S.R. 2022/192), regs. 1(1), **13(13)**

Responsibility for giving information and documents

30. The trustees or managers of a scheme are responsible for ensuring that information or documents are given in accordance with these Regulations whether they give the information or documents—

- (a) directly, or
- (b) indirectly through a third party.

Commencement Information

- I30** Reg. 30 in operation at 6.4.2014, see **reg. 1(1)**

PART 10

Consequential amendments and revocations

Consequential amendments

- 31.** Schedule 9 shall have effect.

Commencement Information

- I31** Reg. 31 in operation at 6.4.2014, see **reg. 1(1)**

Consequential revocations

32. The provisions specified in column (1) of Schedule 10 are revoked to the extent specified in column (3).

Commencement Information

- I32** Reg. 32 in operation at 6.4.2014, see **reg. 1(1)**

Sealed with the Official Seal of the Department for Social Development on 13th March 2014

(L.S.)

Anne McCleary
A senior officer of the Department for Social
Development

Status:

Point in time view as at 06/04/2023.

Changes to legislation:

There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014.