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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision in relation to the Pensions Regulator’s information gathering powers and provide details of the new civil penalty for non-compliance with the Pensions Regulator’s information gathering powers.

Regulation 3 sets out the information that must be contained in an interview notice issued under Article 67A(1) (interviews) of the Pensions (Northern Ireland) Order 2005 (“the 2005 Order”).

Regulation 4 modifies how the Pensions Regulator’s inspection powers under Article 68(6)(d) to (f) (inspection of premises) of the 2005 Order would apply for multi-employer occupational pension schemes.

Regulations 5 and 6 set out the rate of a fixed penalty notice and the daily rate of an escalating penalty notice which may be issued by the Pensions Regulator under Articles 72A (fixed penalty notices) and 72B (escalating penalty notices) of the 2005 Order for non-compliance with the Pensions Regulator’s information gathering powers under Article 67 (provision of information), 67A (interviews), 68 (inspection of premises), 69 (inspection of premises in respect of employers’ obligations) or 70 (inspection of premises: powers of inspectors) of the 2005 Order.

The Pension Schemes Act 2021 (Commencement No. 1) Order (Northern Ireland) 2021 (S.R. 2021 No. 240 (C. 8)) provides for the coming into operation of paragraphs 9(1) and 11 of Schedule 8 to the Pension Schemes Act 2021, which insert Articles 67A, 72A and 72B into the 2005 Order, some of the enabling provisions under which these Regulations are made, for the purpose only of authorising the making of regulations, on 1st September 2021.

As these Regulations make in relation to Northern Ireland only provision corresponding to provision contained in regulations made by the Secretary of State for Work and Pensions in relation to Great Britain, the requirement to consult under Article 289(1) of the 2005 Order does not apply by virtue of paragraph (2)(e) of that Article.