

2022 No. 208

PENSIONS

The Occupational and Personal Pension Schemes (Disclosure of Information) (Statements of Benefits: Money Purchase Benefits) (Amendment) Regulations (Northern Ireland) 2022

Made - - - - *5th September 2022*

Coming into operation - *1st October 2022*

The Department for Communities makes the following Regulations in exercise of the powers conferred by sections 109(1), (2A) and (3), 177(2) to (4) and 178(1) of the Pension Schemes (Northern Ireland) Act 1993(a) and now vested in it(b).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Occupational and Personal Pension Schemes (Disclosure of Information) (Statements of Benefits: Money Purchase Benefits) (Amendment) Regulations (Northern Ireland) 2022 and shall come into operation on 1st October 2022.

(2) The Interpretation Act (Northern Ireland) 1954(c) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations

2. In regulation 17 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014(d) (statements of benefits: money purchase benefits) after paragraph (10) add—

“(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;

(a) 1993 c. 49; section 109(1) was amended by section 48(1) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4 (N.I.)); section 109(2A) was inserted by section 38(4) of the Pension Schemes Act (Northern Ireland) 2016 (c. 1 (N.I.)); section 178(1) was amended by Parts 3 and 4 of Schedule 5 to the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22))

(b) See Article 8(b) of S.R. 1999 No. 481 and section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))

(c) 1954 c. 33 (N.I.)

(d) S.R. 2014 No. 79

(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(a) 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(b);

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

Sealed with the Official Seal of the Department for Communities on 5th September 2022

(L.S.)

Anne McCleary

A senior officer of the Department for Communities

(a) Article 63 was amended by paragraph 14 of the Schedule to the Parental Bereavement (Leave and Pay) Act (Northern Ireland) 2022 (c. 5 (N.I.)), regulation 3 of S.R. 2005 No. 377 and paragraph 23 of the Schedule to S.R. 2005 No. 434; Article 64 was amended Article 3 of S.R. 2016 No. 78

(b) 2008 c. 13 (N.I.)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 17 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014, which concerns the provision of annual pension benefit statements, to require certain pension schemes to provide members (except pensioner members), who are entitled to money purchase benefits, with a statement in relation to those benefits that must not exceed one double-sided sheet of A4-sized paper when printed. They make provision for an exception where the member requests the information in an alternative format. The trustees or managers are required to have regard to guidance on the layout and content of the statement published from time to time by the Department for Communities.

An assessment of the cost to business of these Regulations is detailed in a Regulatory Impact Assessment, a copy of which has been laid in the Business Office and the Library of the Northern Ireland Assembly. Copies of the Assessment are available from the Department for Communities, Social Security Policy, Legislation and Decision Making Services, Level 6, Causeway Exchange, 1-7 Bedford Street, Belfast BT2 7EG or from the website: <https://www.communities-ni.gov.uk/articles/pension-information>. A copy of the Assessment is also annexed to the Explanatory Memorandum which is available alongside this Statutory Rule on the website: <http://www.legislation.gov.uk/nisr>.

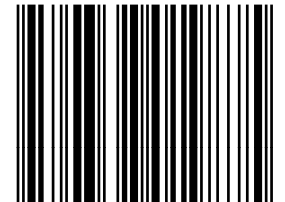
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