

**2023 No. 41**

**PENSIONS**

**The Pension Protection Fund (Compensation) and  
Occupational Pension Schemes (Fraud Compensation Payments)  
(Amendment) Regulations (Northern Ireland) 2023**

*Made* - - - -

*15th March 2023*

*Coming into operation* -

*6th April 2023*

The Department for Communities<sup>(a)</sup> makes the following Regulations in exercise of the powers conferred by Articles 169(1)(a)(ii) and 287(2) and (3) of, and paragraph 23 of Schedule 6 to, the Pensions (Northern Ireland) Order 2005<sup>(b)</sup>.

**Citation and commencement**

1. These Regulations may be cited as the Pension Protection Fund (Compensation) and Occupational Pension Schemes (Fraud Compensation Payments) (Amendment) Regulations (Northern Ireland) 2023 and shall come into operation on 6th April 2023.

**Amendment of the Pension Protection Fund (Compensation) Regulations**

2. In regulation 7(2)(b) of the Pension Protection Fund (Compensation) Regulations (Northern Ireland) 2005<sup>(c)</sup> (period of payment) omit “and within one year of leaving the previous course”.

**Amendment of the Occupational Pension Schemes (Fraud Compensation Payments and Miscellaneous Amendments) Regulations**

3. In regulation 8(1)(b) of the Occupational Pension Schemes (Fraud Compensation Payments and Miscellaneous Amendments) Regulations (Northern Ireland) 2005<sup>(d)</sup> (interim payments) after head (iv) add—

“(v) costs, expenses and liabilities that arise as a consequence of the application;”.

Sealed with the Official Seal of the Department for Communities on 15th March 2023

(L.S.)

*Anne McCleary*

A senior officer of the Department for Communities

---

(a) See section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))

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

(c) S.R. 2005 No. 149; regulation 7 was amended by regulation 8(7) of S.R. 2005 No. 357 and regulation 7(6) of S.R. 2013 No. 95

(d) S.R. 2005 No. 381

## EXPLANATORY NOTE

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

These Regulations amend the Pension Protection Fund (Compensation) Regulations (Northern Ireland) 2005 and the Occupational Pension Schemes (Fraud Compensation Payments and Miscellaneous Amendments) Regulations (Northern Ireland) 2005.

Regulation 2 amends the Pension Protection Fund (Compensation) Regulations (Northern Ireland) 2005 to remove the requirement for a dependent child survivor to commence a qualifying course within one year of leaving the previous course. It allows dependent children to continue to receive compensation payments if they begin the new qualifying course before reaching the age of 23.

Regulation 3 amends the Occupational Pension Schemes (Fraud Compensation Payments and Miscellaneous Amendments) Regulations (Northern Ireland) 2005 to include an additional specific liability incurred by the trustees of a scheme when they make an application for compensation from the Fraud Compensation Fund.

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 Pensions (Northern Ireland) Order 2005 does not apply by virtue of paragraph (2)(e) of that Article.

---

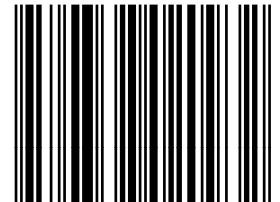
© Crown copyright 2023

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of His Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.

£4.90

<http://www.legislation.gov.uk/id/misr/2023/41>

ISBN 978-0-33-802093-2



9 780338 020932