



Pension Schemes (Northern Ireland) Act 1993

1993 CHAPTER 49

PART XI

GENERAL AND MISCELLANEOUS PROVISIONS

Financial provisions

169 Grants by the Board to advisory bodies, etc.

- (1) The [^{F1}Regulatory Authority] may make grants on such terms and conditions as they think fit to any person providing advice or assistance, or carrying out other prescribed functions, in connection with occupational or personal pensions.
- (2) The Department may pay the [^{F1}Regulatory Authority] such sums as the Department may think fit towards any expenditure of theirs in making grants under this section.

Textual Amendments

- F1** Words in s. 169 substituted (1.4.1997) by [S.I. 1995/3213 \(N.I. 22\)](#), [art. 147](#), [Sch. 3 para. 63](#); [S.R. 1997/192](#), [art. 2\(a\)](#)

[^{F2}170 Levies towards certain expenditure.

- (1) For the purpose of meeting expenditure—
 - (a) under section 2,
 - (b) under Part X and section 169, or
 - (c) of the Regulatory Authority (including the establishment of the authority and, if the authority are appointed as Registrar under section 6 of the Pension Schemes Act 1993, their expenditure as Registrar),

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regulations may make provision for imposing levies in respect of prescribed occupational or prescribed personal pension schemes.

- (2) Any levy imposed under subsection (1) is payable to the Department by or on behalf of—
 - (a) the administrators of any prescribed public service pension scheme,
 - (b) the trustees or managers of any other prescribed occupational or prescribed personal pension scheme, or
 - (c) any other prescribed person,
 at prescribed rates and at prescribed times.
- (3) Regulations made by virtue of subsection (1)—
 - (a) in determining the amount of any levy in respect of the Regulatory Authority, must take account (among other things) of any amounts paid to the Department under section 164(4) or Article 10 of the Pensions (Northern Ireland) Order 1995, and
 - (b) in determining the amount of expenditure in respect of which any levy is to be imposed, may take one year with another and, accordingly, may have regard to expenditure estimated to be incurred in current or future periods and to actual expenditure incurred in previous periods (including periods ending before the coming into operation of this subsection).
- (4) Regulations may make provision for imposing a levy in respect of prescribed occupational pension schemes for the purpose of meeting expenditure of the Pensions Compensation Board (including the establishment of the Board).
- (5) Any levy imposed under subsection (4) is payable to the Board by or on behalf of—
 - (a) the trustees of any prescribed occupational pension scheme, or
 - (b) any other prescribed person,
 at prescribed times and at a rate not exceeding the prescribed rate, determined by the Board.
- (6) In determining the amount of expenditure in respect of which any levy under subsection (4) is to be imposed, the Board, and regulations made by virtue of subsection (5), may take one year with another and, accordingly, may have regard to expenditure estimated to be incurred in current or future periods and to actual expenditure incurred in previous periods (including periods ending before the coming into operation of this subsection).
- (7) Notice of the rates determined by the Board under subsection (5) must be given to prescribed persons in the prescribed manner.
- (8) An amount payable by a person on account of a levy imposed under this section shall be a debt due from him to the appropriate person, that is—
 - (a) if the levy is imposed under subsection (1), the Department, and
 - (b) if the levy is imposed under subsection (4), the Board,
 and an amount so payable shall be recoverable by the appropriate person accordingly or, if the appropriate person so determines, be recoverable by the Registrar on behalf of the appropriate person.
- (9) Without prejudice to the generality of subsections (1) and (4), regulations under this section may include provision relating to—

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- (a) the collection and recovery of amounts payable by way of levy under this section, or
- (b) the circumstances in which any such amount may be waived.]

Textual Amendments

F2 S. 170 substituted (19.11.1996 for certain purposes otherwise 1.4.1997) by S.I. 1995/3213 (N.I. 22), art. 161; S.R. 1996/534, art. 2(a); S.R. 1997/192, art. 2(a)

Modifications etc. (not altering text)

C1 S. 170(4)-(9) applied (with modifications) (1.12.1999 for certain purposes and otherwise 1.10.2000) by S.I. 1999/3147 (N.I. 11), arts. 1(5)(a), 8(3), Sch. 1 para. 1(2)(a); S.R. 2000/133, art. 2(3)(c), Sch. Pt. III

171 Fees for official services to schemes.

Where at the request of the trustees or managers of an occupational pension scheme or a personal pension scheme or of any employer of earners who are members of such a scheme, official services are provided in connection with the operation or administration of the scheme [^{F3}by the Department], the Department may require the payment of fees for the provision of those services.

Textual Amendments

F3 Words in s. 171 substituted (6.4.1997) by S.I. 1995/3213 (N.I. 22), art. 147, Sch. 3 para. 64; S.R. 1997/192, art. 2(b)

172 General financial arrangements.

- (1) There shall be paid out of the National Insurance Fund—
 - (a) minimum contributions paid by the Department under section 39;
 - (b) payments by it under section 120.
- (2) Subject to subsection (3), there shall be paid out of the National Insurance Fund into the Consolidated Fund—
 - (a) sums equal to the amount of any expenses incurred by the Department (or by persons acting on its behalf) in exercising its functions under Chapter II of Part VII and section 153;
 - (b) such sums as the Department may estimate to be the amount of the administrative expenses of the Department or any government department in carrying into effect the remaining provisions of this Act, other than—
 - (i) Chapter I of Part IV and Part VIII so far as it applies for the purposes of that Chapter, sections ^{F4} . . . 149(2), 154(1) to (5), 158, 159 ^{F5} . . . and 171;
 - (ii) sections 3, 5, 22 to 30, 34 and 46 (so far as they relate to personal pension schemes), section 44 (so far as it relates to minimum contributions), section 46 (so far as it relates to personal pension schemes), section 50, ^{F6} . . . section 107 (and Part VIII and section 149 so far as they have effect for the purposes of section 107), sections

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113, 150 and 151 and section 155 (so far as it relates to protected rights payments) and sections 156 and 162.

- (3) The sums payable under subsection (2)(b)—
- (a) shall be estimated in accordance with any directions given by the Department of Finance and Personnel and (except in the case of functions relating to minimum contributions) shall exclude such categories of expenses as that Department may direct, or any enactment may require, to be so excluded; and
 - (b) shall be payable at such times and in such manner as the Department of Finance and Personnel may direct.
- (4) Subject to subsection (5), there shall be paid into the Consolidated Fund any sum recovered by the Department under the provisions within subsection (2)(b)(ii).
- (5) So far as any such sum relates to a payment out of the National Insurance Fund, it shall be paid into that Fund.
- (6) There shall be paid into the Consolidated Fund of the United Kingdom all fees paid to the Registrar.
- (7) There shall also be paid into the National Insurance Fund—
- (a) sums recovered under section 39(5) or (6);
 - ^{F7}(b) . . .
 - (c) any sum recovered by the Department in exercising any right or pursuing any remedy which is the Department's by virtue of section 123; and
 - (d) any sums received by it by way of such payments as are mentioned in paragraph 5(4) of Schedule 1.

Textual Amendments

- F4** Words in s. 172(2)(b)(i) repealed (6.4.1997) by S.I. 1995/3213 (N.I. 22), arts. 165, 168, Sch. 4 para. 12, **Sch. 5 Pt. IV**; S.R. 1997/192, **art. 2(b)**
- F5** Words in s. 172(2)(b)(i) repealed (6.4.1997) by S.I. 1995/3213 (N.I. 22), arts. 147, 168, Sch. 3 para. 65(a)(i), **Sch. 5 Pt. III**; S.R. 1997/192, **art. 2(b)**
- F6** Words in s. 172(2)(b)(ii) repealed (6.4.1997) by S.I. 1995/3213 (N.I. 22), arts. 147, 168, Sch. 3 para. 65(a)(ii), **Sch. 5 Pt. III**; S.R. 1997/192, **art. 2(b)**
- F7** S. 172(7)(b) repealed (6.4.1997) by S.I. 1995/3213 (N.I. 22), arts. 147, 168, Sch. 3 para. 65(b), **Sch. 5 Pt. III**; S.R. 1997/192, **art. 2(b)**

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