



Pension Schemes (Northern Ireland) Act 1993

1993 CHAPTER 49

PART X **N.I.**

INVESTIGATIONS: THE PENSIONS OMBUDSMAN

144 **Staying court proceedings where a complaint is made or a dispute is referred.** **N.I.**

- (1) This section applies where—
 - (a) a complaint has been made or a dispute referred to the Pensions Ombudsman; and
 - (b) any party to the investigation subsequently commences any legal proceedings in any court against any other party to the investigation in respect of any of the matters which are the subject of the complaint or dispute.
- (2) Where this section applies, any party to the legal proceedings may—
 - (a) if the proceedings are in the High Court, at any time after an appearance has been entered and before delivering any pleadings or taking any other step in the proceedings;
 - (b) if the proceedings are in the county court, at any time after the civil bill or other originating process has been served and before taking any other step in the proceedings,apply to the court to stay the proceedings.
- (3) On an application under subsection (2) the court may make an order staying the proceedings if it is satisfied—
 - (a) that there is no sufficient reason why the matter should not be investigated by the Pensions Ombudsman; and
 - (b) that the applicant was at the time when the legal proceedings were commenced and still remains ready and willing to do all things necessary to the proper conduct of the investigation.

Status: Point in time view as at 16/01/2016.

Changes to legislation: Pension Schemes (Northern Ireland) Act 1993, Section 144 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) For the purposes of this section the parties to an investigation are—
- [^{F1}(a) the person by whom, or on whose behalf, the complaint or reference has been made;
 - (b) any person responsible for the management of the scheme to which the complaint or reference relates;]
 - ^{F2}[^{F3}(ba)
 - ^{F4}(bb)]
 - (c) any person against whom allegations are made in the complaint or reference; and
 - (d) any person claiming under a person falling within paragraphs (a) to (c).

Textual Amendments

- F1** S. 144(4)(a)(b) substituted (6.4.1997) by S.I. 1995/3213 (N.I. 22), **art. 153(6)**; S.R. 1997/192, **art. 2(b)**
- F2** S. 144(4)(ba) repealed (6.4.2005) by [The Pensions \(Northern Ireland\) Order 2005](#) (S.I. 2005/255 (N.I. 1), arts. 1(2), 253(2)(a), **Sch. 11** (with art. 285(5)); S.R. 2005/48, art. 2(7), Sch. Pt. 7
- F3** S. 144(4)(ba)(bb) inserted (1.3.2002 for the purposes only of authorising the making of rules) by 2000 c. 4 (N.I.), **ss. 50(2), 68(2)** (with ss. 50(9), 66(6)); S.R. 2002/68, **art. 2(2)**
- F4** S. 144(4)(bb) repealed (6.4.2005) by [The Pensions \(Northern Ireland\) Order 2005](#) (S.I. 2005/255 (N.I. 1), arts. 1(2), 253(2)(a), **Sch. 11** (with art. 285(5)); S.R. 2005/48, art. 2(7), Sch. Pt. 7

Status:

Point in time view as at 16/01/2016.

Changes to legislation:

Pension Schemes (Northern Ireland) Act 1993, Section 144 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.