



# Pension Schemes (Northern Ireland) Act 1993

## 1993 CHAPTER 49

### PART X

#### INVESTIGATIONS: THE PENSIONS OMBUDSMAN

#### 146 Investigations: further provisions.

- (1) For the purposes of an investigation under this Part or under any corresponding legislation having effect in Great Britain, the Pensions Ombudsman may require—
  - (a) [<sup>F1</sup>any person responsible for the management of the scheme to which the complaint or reference relates], or
  - (b) any other person who, in his opinion, is able to furnish information or produce documents relevant to the investigation,to furnish any such information or produce any such documents.
- (2) For the purposes of any such investigation the Pensions Ombudsman shall have the same powers as a county court in respect of the attendance and examination of witnesses (including the administration of oaths and affirmations and the examination of witnesses abroad) and in respect of the production of documents.
- (3) No person shall be compelled for the purposes of any such investigation to give any evidence or produce any document which he could not be compelled to give or produce in civil proceedings before a county court.
- (4) If any person without lawful excuse obstructs the Pensions Ombudsman in the performance of his functions or is guilty of any act or omission in relation to an investigation under this Part which, if that investigation were a proceeding in a county court, would constitute contempt of court, the Pensions Ombudsman may certify the offence to a county court.
- (5) Where an offence is certified under subsection (4) the court may inquire into the matter and, after hearing any witnesses who may be produced against or on behalf of the

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*Status: Point in time view as at 06/04/2012.*

*Changes to legislation: Pension Schemes (Northern Ireland) Act 1993, Section 146 is up to date with all changes known to be in force on or before 09 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)*

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person charged with the offence and hearing any statement that may be offered in defence, deal with him in any manner in which the court could deal with him if he had committed the like offence in relation to the court.

- (6) To assist him in an investigation, the Pensions Ombudsman may obtain advice from any person who in his opinion is qualified to give it and may pay to any such person such fees or allowances as he may with the approval of the Department of Finance and Personnel determine.
- (7) The Pensions Ombudsman may refer any question of law arising for determination in connection with a complaint or dispute to the Court of Appeal.

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**Textual Amendments**

- F1** Words in s. 146(1)(a) substituted (6.4.1997) by [S.I. 1995/3213 \(N.I. 22\)](#), [art. 153\(8\)](#); [S.R. 1997/192](#), [art. 2\(b\)](#)

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