



# Pension Schemes (Northern Ireland) Act 1993

## 1993 CHAPTER 49

### PART XI

#### GENERAL AND MISCELLANEOUS PROVISIONS

##### *General provisions as to determinations and appeals*

#### **168 References and appeals from the Board**

- (1) Any question of law arising in connection with—
  - (a) any matter arising under this Act for determination by the Board;
  - (b) any other matter which under section 165(3) falls to be determined by them;
  - (c) any matter arising on an application to the Board for a review of a determination by them, or on a review by them entered upon without an application,may, if the Board think fit, be referred for decision to the Court of Appeal.
- (2) If the Board determine in accordance with subsection (1) to refer any question of law to the Court, they shall give notice in writing of their intention to do so—
  - (a) in a case where the question arises on an application made to the Board, to the applicant; and
  - (b) in any case to such persons as appear to them to be concerned with the question.
- (3) Any person who is aggrieved—
  - (a) by a determination of the Board given on a review under section 167, or
  - (b) by the refusal of the Board to review a determination,where the determination involves a question of law and that question is not referred by the Board to the Court of Appeal under subsection (1), may on that question appeal from the determination to the Court.

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*Status: This is the original version (as it was originally enacted).*

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- (4) The Board shall be entitled to appear and be heard on any reference or appeal under this section.
- (5) Notwithstanding anything in any enactment, the decision of the court on a reference or appeal under this section shall be final.
- (6) On any such reference or appeal the court may order the Board to pay the costs of any other person, whether or not the decision is in that other person's favour and whether or not the Board appear on the reference or appeal.