



## 2014 CHAPTER 2

### *Governance*

#### **Pension board**

5.—(1) Subject to subsection (2), scheme regulations for a scheme under section 1 must provide for the establishment of a pension board for the scheme.

(2) Scheme regulations for a scheme under section 1, which is a scheme made by virtue of section 1(2)(c), may make the provision required under subsection (1) above by providing for the appointment of the Northern Ireland Local Government Officers' Superannuation Committee as the pension board for that scheme.

(3) It is the responsibility of the pension board for a scheme to assist the scheme manager (or each scheme manager) in relation to the following matters—

- (a) securing compliance with the scheme regulations and other legislation relating to the governance and administration of the scheme and any statutory pension scheme that is connected with it;
- (b) securing compliance with requirements imposed in relation to the scheme and any connected scheme by the Pensions Regulator;
- (c) such other matters as the scheme regulations may specify.

(4) In making the regulations the responsible authority must have regard to the desirability of securing the effective and efficient governance and administration of the scheme and any connected scheme.

(5) The regulations must include provision—

- (a) requiring the scheme manager—

- (i) to be satisfied that a person to be appointed as a member of the board does not have a conflict of interest, and
    - (ii) to be satisfied from time to time that none of the members of the board has a conflict of interest;
  - (b) requiring a member of the board, or a person proposed to be appointed as a member of the board, to provide the scheme manager with such information as the scheme manager reasonably requires for the purposes of provision under paragraph (a);
  - (c) requiring the board to include employer representatives and member representatives in equal numbers.
- (6) In subsection (5)(a) “conflict of interest”, in relation to a person, means a financial or other interest which is likely to prejudice the person’s exercise of functions as a member of the board (but does not include a financial or other interest arising merely by virtue of membership of the scheme or any connected scheme).
- (7) In subsection (5)(c)—
- (a) “employer representatives” means persons appointed to the board for the purpose of representing employers for the scheme and any connected scheme;
  - (b) “member representatives” means persons appointed to the board for the purpose of representing members of the scheme and any connected scheme.
- (8) In this Act, “pension board” means a board established or appointed under this section.
- (9) This section does not apply to a scheme under section 1 which is an injury or compensation scheme.