
STATUTORY INSTRUMENTS

1995 No. 3213

The Pensions (Northern Ireland) Order 1995

PART II

OCCUPATIONAL PENSIONS

Decisions of Compensation Board

Review of Compensation Board's decisions

78.—(1) Subject to paragraphs (2) to (4), any determination by the Compensation Board of a question which it is within their functions to determine shall be final.

(2) The Compensation Board may on the application of a person appearing to them to be interested

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(a) at any time review any such determination of theirs as is mentioned in paragraph (1) (including a determination given by them on a previous review), if they are satisfied that there has been a relevant change of circumstances since the determination was made, or that the determination was made in ignorance of a material fact or based on a mistake as to a material fact or was erroneous in point of law, and

(b) at any time within a period of three months from the date of the determination, or within such longer period as they may allow in any particular case, review such a determination on any ground.

(3) The Compensation Board's powers on a review under this Article include power—

(a) to vary or revoke any determination previously made,

(b) to substitute a different determination, and

(c) generally to deal with the matters arising on the review as if they had arisen on the original determination;

and also include power to make savings and transitional provisions.

(4) Nothing in section 80(4) of the Pensions Act 1995⁽¹⁾ shall be taken to prevent a review under this Article being entered upon by the Compensation Board without an application being made.