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STATUTORY RULES OF NORTHERN IRELAND

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**2000 No. 143**

**The Pensions on Divorce etc. (Charging)  
Regulations (Northern Ireland) 2000**

**Charges recoverable in respect of the provision of basic information**

**3.—**(1) Subject to paragraph (2), the charges prescribed for the purposes of Article 21(1) (d) (charges which a person responsible for a pension arrangement may recover in respect of supplying pension information in connection with divorce etc.) are any charges incurred by the person responsible for the pension arrangement in connection with the provision of any of the information set out in—

- (a) regulation 2 of the Provision of Information Regulations, which may be recovered in accordance with regulation 2(8) of these Regulations;
- (b) regulation 4 of those Regulations, or
- (c) regulation 10 of those Regulations.

(2) The charges mentioned in paragraph (1) shall not include any costs incurred by a person responsible for a pension arrangement in respect of the matters specified in sub-paragraphs (a) to (f)—

- (a) any costs incurred by the person responsible for a pension arrangement which are directly related to the fulfilment of his obligations under regulation 2(3) of the Provision of Information Regulations, other than charges which may be recovered in the circumstances described in regulation 2(8) of these Regulations;
- (b) any costs incurred by the person responsible for the pension arrangement as a result of complying with a request for, or an order of the court requiring, a valuation under regulation 2(2) of the Provision of Information Regulations, unless—
  - (i) he is required by a member or a court to provide that valuation in less than 3 months beginning with the date the person responsible for the pension arrangement receives that request or order for the valuation;
  - (ii) the valuation is requested by a member who is not entitled to a cash equivalent under any of the provisions referred to in regulation 2(4)(a);
  - (iii) a member has requested a cash equivalent in accordance with any of those provisions within 12 months immediately prior to the date of the request for a valuation under regulation 2(2) of the Provision of Information Regulations;
- (c) any costs incurred by the person responsible for a pension arrangement as a result of providing a valuation of benefits calculated and verified in accordance with regulation 3 of the Divorce etc. (Pensions) (Scotland) Regulations 2000(1) (valuation), unless—
  - (i) he is required by the court to provide that valuation in less than 3 months beginning with the date the person responsible for the pension arrangement receives that order;
  - (ii) the valuation is requested by a member who is not entitled to a cash equivalent under any of the provisions referred to in regulation 2(4)(a);

- (iii) a member has requested a cash equivalent in accordance with any of those provisions within 12 months immediately prior to the date of the request for a valuation under regulation 2(2) of the Provision of Information Regulations, or
  - (iv) the relevant date is more than 12 months immediately prior to the date the person responsible for the pension arrangement receives the request for the valuation;
- (d) any costs incurred by the trustees or managers of—
  - (i) an occupational pension scheme in connection with the provision of information under regulation 4 of the Occupational Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 1997<sup>(2)</sup> (basic information about the scheme), or
  - (ii) a personal pension scheme in connection with the provision of information under regulation 4 of the Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 1987<sup>(3)</sup> (basic information about the scheme),which the trustees or managers shall provide to the member free of charge under those Regulations;
- (e) any costs incurred by the trustees or managers of an occupational pension scheme, or a personal pension scheme, as the case may be, in connection with the provision of a transfer value in accordance with the provisions of—
  - (i) section 89A or 90;
  - (ii) regulation 11(1) of the Occupational Pension Schemes (Transfer Values) Regulations (Northern Ireland) 1996, or
  - (iii) regulation 5 of, and paragraph 2(2) of Schedule 2 to, the Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 1987, or
- (f) any costs not specified by the person responsible for a pension arrangement in the information on charges provided to the member pursuant to regulation 2 of the Provision of Information Regulations with the exception of any additional amounts under regulation 6(1)(a) of these Regulations.

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(2) [S.R. 1997 No. 98](#); regulation 4 was amended by regulation 8 of [S.R. 1997 No. 544](#)

(3) Regulation 4 was amended by [S.R. 1988 No. 107](#) and [S.R. 1992 No. 304](#)