
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 143

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

Additional amounts recoverable in respect of pension sharing activity

6.—(1) The circumstances in which a person responsible for a pension arrangement may recover additional amounts are—

- (a) where a period of more than 12 months has elapsed between the person responsible for a pension arrangement supplying information in accordance with regulation 2 of the Provision of Information Regulations and the taking effect of a pension sharing order or provision, or
- (b) in the case of an occupational pension scheme, where the trustees or managers of that scheme undertake activity from time to time associated with pension credit rights or pension credit benefit in that scheme which belong to a member.

(2) For the purposes of Article 38(2)(d), the additional amounts are—

- (a) in the circumstances described in paragraph (1)(a), interest calculated at a rate not exceeding increases in the retail prices index on the amounts of any charges not yet due, or of any charges requested but yet to be recovered, which are specified in the schedule of charges provided to the member in accordance with regulation 2(2)(b), and
- (b) in the circumstances described in paragraph (1)(b), an amount not exceeding an increase calculated by reference to increases in the retail prices index on the amounts which relate to the costs referred to in regulation 2(4)(d) and which are specified in the schedule of charges provided to the member or his spouse in accordance with regulation 2(2)(b).

(3) Where a person responsible for a pension arrangement intends to recover an additional amount specified in paragraph (2)(a) in the circumstances described in paragraph (1)(a), he shall set out this intention, the rate of interest to be used, and the total costs recoverable in the notice of implementation and final costs issued in accordance with regulation 7 of the Provision of Information Regulations (provision of information after receiving a pension sharing order or provision).

(4) Where the trustees or managers of an occupational pension scheme intend to recover an additional amount specified in paragraph (2)(b) in the circumstances described in paragraph (1)(b), they shall inform the parties involved in pension sharing in writing of this intention in the schedule of charges provided in accordance with regulation 2(2)(b).