

2005 No. 342

PENSIONS

**The Pension Protection Fund (PPF Ombudsman)
(Amendment) Order (Northern Ireland) 2005**

Made - - - - - *20th July 2005*

Coming into operation *21st July 2005*

The Department for Social Development, in exercise of the powers conferred on it by Articles 191(1)(e) and 287(2) and (3) of the Pensions (Northern Ireland) Order 2005(a) and of all other powers enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Pension Protection Fund (PPF Ombudsman) (Amendment) Order (Northern Ireland) 2005 and shall come into operation on 21st July 2005.

Amendment of the Pension Protection Fund (PPF Ombudsman) Order

2. In Article 5 of the Pension Protection Fund (PPF Ombudsman) Order (Northern Ireland) 2005(b) (restrictions on the disclosure of information)—

- (a) in paragraph (1) for sub-paragraphs (a) and (b) there shall be substituted the following sub-paragraphs—
 - “(a) the disclosure is to a person specified in paragraph (2) and the PPF Ombudsman considers that disclosure would enable or assist that person to discharge that person’s functions;
 - (b) the disclosure is to a person specified in paragraph (3) and the PPF Ombudsman considers that disclosure is necessary to enable the PPF Ombudsman to carry out his functions.”;
- (b) in paragraph (2)—
 - (i) the word “and” after sub-paragraph (i) shall be omitted; and
 - (ii) after sub-paragraph (j) there shall be added the following sub-paragraph—
 - “(k) a member of the Council on Tribunals.”; and
- (c) after paragraph (2) there shall be added the following paragraph—
 - “(3) The persons specified in this paragraph are—
 - (a) the Board;
 - (b) the person who referred a matter to him in accordance with regulations made under Article 192 or 193 or a representative of such a person appointed under those regulations;
 - (c) any person who has been notified of the reference of that matter, and

(a) S.I. 2005/255 (N.I. 1)
(b) S.R. 2005 No. 135

(d) any person providing an expert opinion or other evidence in connection with the reference of that matter.”.

Sealed with the Official Seal of the Department for Social Development on 20th July 2005.

(L.S.)

John O'Neill

A senior officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Pension Protection Fund (PPF Ombudsman) Order (Northern Ireland) 2005 (“the principal Order”) which makes provision in respect of the Ombudsman for the Board of the Pension Protection Fund (“the PPF Ombudsman”).

Article 2 amends Article 5 of the principal Order to provide that the PPF Ombudsman may, during the course of his investigation of a reviewable matter referred to him by virtue of regulations made under Article 192 of the Pensions (Northern Ireland) Order 2005 (“the 2005 Order”) or of a complaint of maladministration referred to him by virtue of regulations made under Article 193 of the 2005 Order, disclose to specified persons information obtained during the course of the investigation.

Article 191(1)(e) of the 2005 Order, one of the enabling provisions under which this Order is made, was brought fully into operation on 6th April 2005 by virtue of the Pensions (2005 Order) (Commencement No. 1 and Consequential and Transitional Provisions) Order (Northern Ireland) 2005 (S.R. 2005 No. 48 (C. 5)).

© Crown Copyright 2005

£3.00

Published by The Stationery Office Limited

ISBN 0-337-96090-9



9 780337 960901