
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 115

**The Occupational and Personal Pension
Schemes (Miscellaneous Amendments)
Regulations (Northern Ireland) 2009**

Amendment of the Occupational and Personal Pension Schemes (Consultation by Employers) Regulations

18.—(1) The Occupational and Personal Pension Schemes (Consultation by Employers) Regulations (Northern Ireland) 2006⁽¹⁾ shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 18 (exclusivity of remedy)—

- (a) for the heading substitute “Remedies for failure to comply”;
- (b) for paragraph (1) substitute—

“(1) The only remedies for a failure to comply with any obligations under regulations 6 to 16 in respect of any proposal or decision to make a listed change are—

- (a) making a complaint to the Regulator;
- (b) an improvement notice issued under Article 9 of the Order, and
- (c) a penalty imposed under regulation 18A.”;

(c) in paragraph (2) after “A complaint” insert “under paragraph (1)(a)”.

(3) After regulation 18 insert—

“Penalties

18A.—(1) Where a person fails, without reasonable excuse, to comply with a requirement to consult under regulation 7(3), the Regulator may by notice in writing require that person to pay a penalty.

(2) Any such penalty must be paid within 28 days and must not exceed—

- (a) in the case of an individual, £5,000, and
- (b) in any other case, £50,000.”.