
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 171

**The Occupational Pension Schemes (Charges and Governance)
(Amendment) Regulations (Northern Ireland) 2016**

Substitution of regulation 30

9. For regulation 30 (penalty notices: recovery from bodies corporate) substitute—

“Penalty notices: recovery from bodies corporate

30.—(1) Where—

- (a) a penalty under regulation 28 is recoverable from a body corporate by reason of any act or omission of the body, and
- (b) the act or omission was done with the consent or connivance of, or is attributable to any neglect on the part of, any persons mentioned in paragraph (2),

the Regulator may issue the notice to each of those persons who consented to, or connived in, the act or omission or to whose neglect the act or omission was attributable.

(2) The persons referred to in paragraph (1) are—

- (a) any director, manager, secretary, or other similar officer of the body, or a person purporting to act in any such capacity, and
- (b) where the affairs of a body corporate are managed by its members, any member who has management functions.

(3) Where the Regulator requires any person mentioned in paragraph (2) to pay a penalty, it—

- (a) may not also require the body corporate in question to pay a penalty in respect of the same act or omission, and
- (b) must issue the penalty notice to the person who is required to pay, but may also notify the relevant body corporate.”.