
DRAFT STATUTORY INSTRUMENTS

2005 No.

The Pensions (Northern Ireland) Order 2005

PART IX

MISCELLANEOUS AND SUPPLEMENTARY

General

Protected items

283.—(1) A person may not be required under or by virtue of this Order to produce, disclose or permit the inspection of protected items.

(2) For this purpose “protected items” means—

- (a) communications between a professional legal adviser and his client or any person representing his client which fall within paragraph (3);
- (b) communications between a professional legal adviser, his client or any person representing his client and any other person which fall within paragraph (3) (as a result of sub-paragraph (b) of that paragraph);
- (c) items which—
 - (i) are enclosed with, or referred to in, such communications,
 - (ii) fall within paragraph (3), and
 - (iii) are in the possession of a person entitled to possession of them.

(3) A communication or item falls within this paragraph if it is made—

- (a) in connection with the giving of legal advice to the client, or
- (b) in connection with, or in contemplation of, legal proceedings and for the purpose of those proceedings.

(4) A communication or item is not a protected item if it is held with the intention of furthering a criminal purpose.