
DRAFT STATUTORY INSTRUMENTS

2005 No.

The Pensions (Northern Ireland) Order 2005

PART II

THE PENSIONS REGULATOR

Gathering information

Inspection of premises in respect of employers' obligations

69.—(1) An inspector may, for the purposes of investigating whether an employer is complying, or has complied, with the requirements under—

- (a) Article 5 of the 1999 Order (duty of employers to facilitate access to stakeholder pension schemes), or
- (b) any corresponding provision in force in Great Britain,

at any reasonable time enter premises liable to inspection.

(2) Premises are liable to inspection for the purposes of paragraph (1) if the inspector has reasonable grounds to believe that—

- (a) employees of the employer are employed there,
- (b) documents relevant to the administration of the employer's business are being kept there, or
- (c) the administration of the employer's business, or work connected with that administration, is being carried out there.

(3) In paragraphs (1) and (2), "employer" has the meaning given in Article 5(9) of the 1999 Order (or, where paragraph (1)(b) applies, in any corresponding provision in force in Great Britain).

(4) An inspector may, for the purposes of investigating whether, in the case of any direct payment arrangements relating to a personal pension scheme, any of the following provisions—

- (a) regulations made by virtue of Articles 237 and 238 (consultation by employers),
- (b) section 107A of the Pension Schemes Act (monitoring of employers' payments to personal pension schemes), or
- (c) any corresponding provision in force in Great Britain,

is being, or has been, complied with, at any reasonable time enter premises liable to inspection.

(5) Premises are liable to inspection for the purposes of paragraph (4) if the inspector has reasonable grounds to believe that—

- (a) employees of the employer are employed there,
- (b) documents relevant to the administration of—
 - (i) the employer's business,
 - (ii) the direct payment arrangements, or

- (iii) the scheme to which those arrangements relate,
are being kept there, or
- (c) either of the following is being carried out there—
 - (i) the administration of the employer’s business, the arrangements or the scheme;
 - (ii) work connected with that administration.
- (6) In the application of paragraphs (4) and (5) in relation to any provision mentioned in paragraph (4)(c) (a “corresponding Great Britain provision”), references in those paragraphs to—
 - direct payment arrangements,
 - a personal pension scheme,
 - the employer, or
 - employees of the employer,are to be read as having the meanings that they have for the purposes of the corresponding Great Britain provision.