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STATUTORY INSTRUMENTS

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**2005 No. 255**

**The Pensions (Northern Ireland) Order 2005**

**PART III**

**THE BOARD OF THE PENSION PROTECTION FUND**

**CHAPTER 5**

**GATHERING INFORMATION**

**Warrants**

**176.**—(1) A justice of the peace may issue a warrant under this Article if satisfied on complaint on oath given by or on behalf of the Board that there are reasonable grounds for believing—

- (a) that there is on, or accessible from, any premises any document—
  - (i) whose production has been required under Article 173 or 174, or any corresponding provision in force in Great Britain, and
  - (ii) which has not been produced in compliance with that requirement,
- (b) that there is on, or accessible from, any premises any document relevant to the exercise of the Board's functions in relation to an occupational pension scheme whose production could be so required and, if its production were so required, the document—
  - (i) would not be produced, but
  - (ii) would be removed, or made inaccessible, from the premises, hidden, tampered with or destroyed, or
- (c) that a person will do any act which constitutes a misuse or misappropriation of the assets of an occupational pension scheme and that there is on, or accessible from, any premises any document—
  - (i) which relates to whether the act will be done, and
  - (ii) whose production could be required under Article 173 or 174 or any corresponding provision in force in Great Britain.

(2) A warrant under this Article shall authorise an inspector—

- (a) to enter the premises specified in the complaint, using such force as is reasonably necessary for the purpose,
- (b) to search the premises and—
  - (i) take possession of any document appearing to be such a document as is mentioned in paragraph (1), or
  - (ii) take in relation to such a document any other steps which appear necessary for preserving it or preventing interference with it,
- (c) to take copies of any such document,

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**Changes to legislation:** *The Pensions (Northern Ireland) Order 2005, Section 176 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (d) to require any person named in the warrant to provide an explanation of any such document or to state where it may be found or how access to it may be obtained, and
  - (e) in the case of any such document which consists of information which is stored in electronic form and is on, or accessible from, the premises, to require the information to be produced in a form—
    - (i) in which it can be taken away, and
    - (ii) in which it is legible or from which it can readily be produced in a legible form.
- (3) When executing a warrant under this Article, an inspector may be accompanied by such persons as he considers appropriate.
- (4) A warrant under this Article continues in force until the end of the period of one month beginning with the day on which it is issued.
- (5) Any document of which possession is taken under this Article may be retained until the end of the period comprising—
- (a) the period of 12 months beginning with the date on which possession was taken of the document, and
  - (b) any extension of that period under paragraph (6).
- (6) The Board may before the end of the period mentioned in paragraph (5) (including any extension of it under this paragraph) extend it by such period not exceeding 12 months as the Board considers appropriate.
- (7) In this Article “inspector” means a person appointed by the Board as an inspector.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 6 para. 21(2)(c)-(cc) substituted for (b)(c) by [2008 c. 13 \(N.I.\) Sch. 6 para. 11](#)
- art. 2(4)(b)(viii)-(x) inserted by [2016 c. 1 \(N.I.\) Sch. 2 para. 21\(3\)\(b\)](#)
- art. 19(1A) inserted by [2016 c. 1 \(N.I.\) Sch. 2 para. 24\(3\)](#)
- art. 19(10A) inserted by [2016 c. 1 \(N.I.\) Sch. 2 para. 24\(5\)](#)
- art. 34(1)-(1B) substituted for art. 34(1) by [2016 c. 1 \(N.I.\) Sch. 2 para. 25](#)
- art. 34(7)(da) inserted by [2021 c. 1 Sch. 8 para. 3\(2\)](#)
- art. 39(1)-(1B) substituted for art. 39(1) by [2016 c. 1 \(N.I.\) Sch. 2 para. 26\(2\)](#)
- art. 48(1)-(1B) substituted for art. 48(1) by [2016 c. 1 \(N.I.\) Sch. 2 para. 27](#)
- art. 75(1)(a)(iib) inserted by [2021 c. 1 Sch. 8 para. 8\(2\)](#)
- art. 110(1)-(1B) substituted for art. 110(1) by [2016 c. 1 \(N.I.\) Sch. 2 para. 29](#)
- art. 191(5) added by [2008 c. 13 \(N.I.\) Sch. 9 para. 6](#)
- art. 267(4)(f) and word inserted by [2021 c. 1 Sch. 6 para. 20\(b\)](#)