
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations replace the Occupational and Personal Pension Schemes (Levy) Regulations (Northern Ireland) 1995 (“the 1995 Regulations”) which are now revoked.

Regulation 1 provides for the citation, commencement and interpretation of the Regulations.

Regulations 2 to 8 and the Schedule make provision for the payment of levies for the purposes of meeting the cost of the Pensions Ombudsman, the Occupational Pensions Regulatory Authority (“the Regulatory Authority”), the Pensions Compensation Board, the Registrar of Occupational and Personal Pension Schemes and certain grants made to advisory bodies by the Regulatory Authority. They also make provision as to the manner in which the amounts of the levies are to be determined, the manner in which the levies are to be paid and the circumstances in which payment of the levies shall be waived.

Regulation 9 makes provision for payment of the levies in the case of multi-employer schemes.

Regulation 10 makes provision to avoid the duplication of payments where a levy is payable under equivalent provisions which have effect in Great Britain.

Regulation 11 modifies the provisions of Article 75 of the Pensions (Northern Ireland) Order 1995 (“the Order”) in the case of occupational pension schemes which are money purchase schemes.

Regulation 12 makes transitional provision for the payment under these Regulations of the amount of the levy for which schemes are liable under the 1995 Regulations.

Regulation 13 provides for the imposition of financial penalties by the Regulatory Authority in respect of any failure to pay a levy under these Regulations.

Regulation 14 revokes the 1995 Regulations with a saving.

Sections 164 and 170 of the Pension Schemes (Northern Ireland) Act 1993, which contain some of the enabling provisions under which these Regulations are made, were substituted by Articles 151(1) and 161 respectively of the Order.

The Pensions (1995 Order) (Commencement No. 2) Order (Northern Ireland) 1996 ([S.R. 1996 No. 91 \(C. 4\)](#)) provides for the coming into operation of Article 87 of the Order, for the purpose only of authorising the making of regulations, and Article 166 of the Order, in so far as it was not already in operation, on 6th April 1996. The Pensions (1995 Order) (Commencement No. 4) Order (Northern Ireland) 1996 ([S.R. 1996 No. 307 \(C. 18\)](#)) provides for the coming into operation of Article 151 of the Order, for the purpose only of authorising the making of regulations, on 23rd July 1996. The Pensions (1995 Order) (Commencement No. 5) Order (Northern Ireland) 1996 ([S.R. 1996 No. 534 \(C. 25\)](#)) provides for the coming into operation of Article 122(3) of the Order, in so far as it was not already in operation, and Article 161 of the Order, for the purpose only of authorising the making of regulations, on 19th November 1996.

As these Regulations make in relation to Northern Ireland only provision corresponding to provision contained in regulations made by the Secretary of State for Social Security in relation to Great Britain, the requirement for consultation under Article 117(1) of the Order does not apply by virtue of paragraph (2)(e) of that Article.