

2022 No. 175 (C. 20)

PENSIONS

**The Financial Guidance and Claims Act 2018
(Commencement No. 2) Order (Northern Ireland) 2022**

Made - - - -

19th May 2022

The Department for Communities makes the following Order in exercise of the powers conferred by section 37(2) and (3)(c) of the Financial Guidance and Claims Act 2018(a).

Citation

1. This Order may be cited as the Financial Guidance and Claims Act 2018 (Commencement No. 2) Order (Northern Ireland) 2022.

Appointed day

2. The day appointed for the coming into operation of section 19(6) to (8) of the Financial Guidance and Claims Act 2018 (occupational pension schemes: requirements to refer members to guidance etc) for all remaining purposes is 1st June 2022.

Sealed with the Official Seal of the Department for Communities on 19th May 2022

(L.S.)

Anne McCleary
A senior officer of the Department for Communities

EXPLANATORY NOTE

(This note is not part of the Order)

This Order commences certain provisions of the Financial Guidance and Claims Act 2018 (“the Act”) on 1st June 2022 relating to requirements to refer individuals to pensions guidance in certain circumstances.

Section 19(7) and (8) of the Act (requirement to refer relevant beneficiaries to appropriate guidance by trustees or managers of occupational pension schemes) was commenced for the purpose only of authorising the making of regulations on 15th March 2022 and is commenced for all remaining purposes by this Order, as is section 19(6) of the Act.

Section 19(7) of the Act inserts section 109B into the Pension Schemes (Northern Ireland) Act 1993 (c. 49) (“the 1993 Act”) (occupational pension schemes: requirements to refer members to guidance etc.). Section 109B of the 1993 Act, amongst other things, requires the Department for Communities to make regulations requiring the trustees or managers of occupational pension schemes to refer relevant beneficiaries to appropriate pensions guidance in certain circumstances.

Section 19(8) of the Act amends section 111 of the 1993 Act (powers as respects failure to comply with information requirements) to add a reference to regulations made under section 109B of the 1993 Act. This is to enable specified persons, where the trustees or managers of an occupational pension scheme make default in complying with requirements of regulations made under section 109B of the 1993 Act, to make an application to a county court for an order directing the trustees or managers to make good the default in complying with those requirements.

NOTE AS TO EARLIER COMMENCEMENT ORDER

(This note is not part of the Order)

The following provisions of the Financial Guidance and Claims Act 2018 have been brought into operation by an earlier commencement order as from the date shown.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Section 19(6) to (8) (partially)	15th March 2022	2022 No. 107 (C. 12)
Section 19(9)	15th March 2022	2022 No. 107 (C. 12)

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