
STATUTORY INSTRUMENTS

1995 No. 3183

**The Occupational Pension Schemes
(Equal Treatment) Regulations 1995**

Power for a court or industrial tribunal to make a financial award for equal treatment claims by pensioner members and employer's duty to provide additional resources

7. In the case of a claim by a pensioner member in respect of a failure to comply with an equal treatment rule which relates to the terms on which the member is treated, section 2 of the Equal Pay Act shall have effect as if in subsection (5) for the words "or damages" there were substituted the words ", damages or any other financial award" and as if the following subsections were added after subsection (5A) (as inserted by regulation 4)—

“(6C) Where a court or industrial tribunal awards a payment by way of arrears of benefits, damages or other financial award, the employer shall provide any such resources to the scheme as are specified in subsection (7C) below.

(7C) The resources referred to in subsection (6C) above are such additional resources, if any, as may be necessary for the scheme to secure the payment of those arrears of benefits, damages or that financial award to the member, without contribution or further contribution by the member or by other members of the scheme.”.