
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are mainly consequential upon Article 250 of the Pensions (Northern Ireland) Order 2005 (“the 2005 Order”) as amended by section 14 of the Pensions Act (Northern Ireland) 2008.

Articles 50, 50A and 50B of the Pensions (Northern Ireland) Order 1995 (“the 1995 Order”), as substituted by Article 250 of the 2005 Order, include much of the detail contained in the Occupational Pension Schemes (Internal Dispute Resolution Procedures) Regulations (Northern Ireland) 1996 (“the 1996 Regulations”).

Regulation 2 requires trustees or managers to make persons who apply for the resolution of a pension dispute (“applicants”) aware that the Pensions Advisory Service is available to assist them, and that the Pensions Ombudsman is available to investigate and determine any complaint or dispute, as part of the notification to the applicants of the trustees’ or managers’ or specified person’s decision in relation to the pension dispute.

Regulation 3 describes an occupational pension scheme in relation to which the requirement for dispute resolution arrangements does not apply.

Regulation 4 describes exempted disputes for the purposes of Article 50 of the 1995 Order.

Regulation 5 provides for transitional provision, to deal with cases already being considered under the internal dispute resolution procedures as they were prior to the coming into operation of these Regulations, and also to deal with cases excluded from being considered by the Pensions Ombudsman because they were already being considered under internal dispute resolution procedures prior to the coming into operation of these Regulations.

Regulation 6 makes consequential amendments and updates references to the Pensions Advisory Service.

Regulation 7 revokes the 1996 Regulations and makes consequential revocations.

The Pensions (2005 Order) (Commencement No. 11) Order (Northern Ireland) 2008 ([S.R. 2008 No. 104 \(C. 4\)](#)) provides for the coming into operation of Article 250 of the 2005 Order, which substitutes Article 50 of the 1995 Order, one of the enabling provisions under which these Regulations are made, for the purposes only of authorising the making of regulations, on 12th March 2008 and for all other purposes on 6th April 2008.

As these Regulations make in relation to Northern Ireland only provision corresponding to provision contained in regulations made by the Secretary of State for Work and Pensions in relation to Great Britain, the requirement to consult under Article 117(1) of the 1995 Order does not apply by virtue of paragraph (2)(e) of that Article.

Changes to legislation:

There are currently no known outstanding effects for the The Occupational Pension Schemes (Internal Dispute Resolution Procedures) (Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2008.