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## STATUTORY INSTRUMENTS

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# 2005 No. 255

## The Pensions (Northern Ireland) Order 2005

### PART II

#### THE PENSIONS REGULATOR

##### *Collecting information relevant to the Board*

#### **Duty to notify the Regulator of certain events**

**64.**—(1) Except where the Regulator otherwise directs, the appropriate person must give notice of any notifiable event to the Regulator.

(2) In paragraph (1) “notifiable event” means—

- (a) a prescribed event in respect of an eligible scheme, or
- (b) a prescribed event in respect of the employer in relation to an eligible scheme.

(3) For the purposes of paragraph (1)—

(a) in the case of an event within paragraph (2)(a), each of the following is “the appropriate person”

- (i) the trustees or managers of the scheme,
- (ii) a person of a prescribed description, and

(b) in relation to an event within paragraph (2)(b), each of the following is “the appropriate person”

- (i) the employer in relation to the scheme,
- (ii) a person of a prescribed description.

(4) A notice under paragraph (1)—

- (a) must be in writing, and
- (b) subject to paragraph (5), must be given as soon as reasonably practicable after the person giving it becomes aware of the notifiable event.

(5) Regulations may require a notice under paragraph (1) to be given before the beginning of the prescribed period ending with the notifiable event in question.

(6) Subject to Article 283 (protected items), no duty to which a person is subject is to be regarded as contravened merely because of any information or opinion contained in a notice under this Article.

(7) Where the trustees or managers of a scheme fail to comply with an obligation imposed on them by paragraph (1), [<sup>F1</sup>Article 83A (financial penalties)] applies in relation to any trustee or manager who has failed to take all reasonable steps to secure compliance with that paragraph.

(8) [<sup>F2</sup>Article 83A] also applies to any other person who, without reasonable excuse, fails to comply with an obligation imposed on him by paragraph (1).

(9) In this Article—

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**Changes to legislation:** *The Pensions (Northern Ireland) Order 2005, Section 64 is up to date with all changes known to be in force on or before 14 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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“eligible scheme” has the meaning given by Article 110,  
“event” includes a failure to act.

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| <p><b>F1</b> Words in art. 64(7) substituted (1.10.2021) by Pension Schemes Act 2021 (c. 1), s. 131(2)(b), <b>Sch. 8 para. 7(1)(a)</b>; S.R. 2021/271, art. 2(3)(e) (with arts. 4, 8)</p> <p><b>F2</b> Words in art. 64(8) substituted (1.10.2021) by Pension Schemes Act 2021 (c. 1), s. 131(2)(b), <b>Sch. 8 para. 7(1)(b)</b>; S.R. 2021/271, art. 2(3)(e) (with arts. 4, 8)</p> |
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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\(b\)](#)