
STATUTORY INSTRUMENTS

2005 No. 255

The Pensions (Northern Ireland) Order 2005

PART II

THE PENSIONS REGULATOR

[^{F1}Financial penalty for providing false or misleading information to Regulator

[^{F1}75A.—(1) Article 83A (financial penalties) applies to a person who has knowingly or recklessly provided the Regulator with information which is false or misleading in a material particular, if the information was provided to the Regulator in the circumstances mentioned in paragraph (2)(a), (b) or (c).

(2) The circumstances referred to in paragraph (1) are—

- (a) that the information was provided in purported compliance with a requirement under—
 - (i) Article 57 (the register: duties of trustees or managers),
 - (ii) Article 59 (duty of trustees or managers to provide scheme return),
 - (iii) Article 64 (duty to notify the Regulator of certain events),
 - (iv) Article 64A (duty to give notices and statements to the Regulator in respect of certain events),
 - (v) Article 67 (provision of information),
 - (vi) Article 67A (interviews),
 - (vii) Article 70 (inspection of premises: powers of inspectors), or
 - (viii) regulations under section 11 of the Pensions (No. 2) Act (Northern Ireland) 2008 (information about employers' duties to be given to the Regulator);
- (b) that the information is provided in applying for registration of a pension scheme under Article 4 of the 1999 Order (registration of stakeholder pension schemes);
- (c) that the information was provided otherwise than as mentioned in sub-paragraph (a) or (b) but in circumstances in which the person providing the information intends, or could reasonably be expected to know, that it would be used by the Regulator for the purpose of exercising its functions under—
 - (i) the 1995 Order,
 - (ii) this Order,
 - (iii) the Pensions (No. 2) Act (Northern Ireland) 2008,
 - (iv) Schedule 18 to the Pensions Act (Northern Ireland) 2015, ^{F2}...
 - (v) Part 2 of the Pension Schemes Act 2021, ^{F3}, or
 - (vi) the Pension Schemes Act (Northern Ireland) 2021.]

Changes to legislation: *The Pensions (Northern Ireland) Order 2005, Section 75A is up to date with all changes known to be in force on or before 02 May 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*

- F1** Art. 75A inserted (1.10.2021 for specified purposes, 1.8.2022 for specified purposes) by Pension Schemes Act 2021 (c. 1), s. 131(2)(b), **Sch. 8 para. 12**; S.R. 2021/271, art. 2(3)(g) (with art. 6); S.R. 2022/197, art. 3(c)
- F2** Word in art. 75A(2)(c)(iv) omitted (16.3.2022 for specified purposes, 6.4.2022 in so far as not already in operation) by virtue of Pension Schemes Act (Northern Ireland) 2021 (c. 6), s. 44(2), **Sch. 3 para. 14(a)**; S.R. 2022/110, art. 2(a)(b)
- F3** Art. 75A(2)(c)(vi) and word added (16.3.2022 for specified purposes, 6.4.2022 in so far as not already in operation) by Pension Schemes Act (Northern Ireland) 2021 (c. 6), s. 44(2), **Sch. 3 para. 14(b)**; S.R. 2022/110, art. 2(a)(b)

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[View outstanding changes](#)

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)