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STATUTORY INSTRUMENTS

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**2005 No. 255**

**The Pensions (Northern Ireland) Order 2005**

**PART III**

**THE BOARD OF THE PENSION PROTECTION FUND**

**CHAPTER 5**

**GATHERING INFORMATION**

*Provision of information to members of schemes etc.*

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**185.**—(1) Regulations may—

- (a) require the Board to provide information of prescribed descriptions to such persons as may be prescribed at prescribed times, or
- (b) require trustees or managers of occupational pension schemes to provide such information—
  - (i) relating to the exercise of the Board’s functions in relation to any scheme of which they are trustees or managers,
  - (ii) relating to any notice issued or application or determination made under Chapter 2, 3 or 4 which relates to any such scheme, or
  - (iii) otherwise relating to the Board’s involvement with any such scheme,as may be prescribed to prescribed persons at prescribed times or in prescribed circumstances.

(2) Article 179 does not preclude the disclosure of restricted information by the Board which relates to the entitlement of a particular individual to compensation under Chapter 3 if the disclosure is made to that individual or to a person authorised by him.

(3) Article 179 does not preclude the disclosure of restricted information by the Board if—

- (a) the information relates to the exercise of the Board’s functions in relation to an occupational pension scheme,
- (b) the disclosure is made to—
  - (i) all affected persons, or
  - (ii) all affected persons of a particular description, and
- (c) the Board is satisfied that, in all the circumstances, it is reasonable to make the disclosure.

(4) In paragraph (3) “affected person”, in relation to an occupational pension scheme, means a person—

- (a) who is a member of the scheme, or

- (b) who is for the time being nominated by a member of the scheme for the purposes of that paragraph.
- (5) A nomination by a member of the scheme under paragraph (4)(b)—
  - (a) may be made by notice in writing given by the member,
  - (b) becomes effective when the notice is received by the Board, and
  - (c) ceases to be effective when the Board receives a further notice from the member withdrawing the nomination.
- (6) In the case of an occupational pension scheme, Article 179 does not preclude the disclosure of restricted information by the Board if—
  - (a) the disclosure is made to any of the following in relation to the scheme—
    - (i) a trustee or manager,
    - (ii) any professional adviser,
    - (iii) the employer,
    - (iv) the insolvency practitioner in relation to the employer,
  - (b) the information is relevant to the exercise of that person's functions in relation to the scheme, and
  - (c) the Board considers that it is reasonable in all the circumstances to make the disclosure for the purpose of facilitating the exercise of those functions.