STATUTORY INSTRUMENTS

2005 No. 2023

PENSIONS

The Pension Protection Fund (PPF Ombudsman) Amendment Order 2005

Made - - - - 20th July 2005

Coming into force in accordance with Regulation 1(1)

Whereas a draft of this instrument was laid before Parliament in accordance with section 316(2)(g) of the Pensions Act 2004(**a**) and approved by resolution of each House of Parliament;

Now, therefore, the Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by sections 209(4)(g) and 315(2)(a), (4) and (5) of the Pensions Act 2004, and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Pension Protection Fund (PPF Ombudsman) Amendment Order 2005 and shall come into force on the day after the day on which it is made.

(2) In this Order "the principal Order" means the Pension Protection Fund (PPF Ombudsman) Order 2005(**b**).

Amendment of article 7 of the principal Order

2. In article 7 of the principal Order (restrictions on the disclosure of information)—

(a) for sub-paragraphs (a) and (b) of paragraph (1) substitute—

"(a) the disclosure is to a person specified in paragraph (2) and the PPF Ombudsman considers that disclosure would enable or assist that person to discharge that person's functions;

(b) the disclosure is to a person specified in paragraph (3) and the PPF Ombudsman considers that disclosure is necessary to enable the PPF Ombudsman to carry out his functions."; and

(b) in paragraph (2)—

(i) in sub-paragraph (i) for "; and" substitute ";";

(ii) in sub-paragraph (j) for "." substitute "; and"; and

(iii) after sub-paragraph (j) add—

"(k) a member of the Council on Tribunals or the Scottish Committee of the Council on Tribunals."; and

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(**a**) 2004 c.35.
(**b**) S.I. 2005/824.

(c) after paragraph (2) add—

"(3) The persons specified in this paragraph are—

(a) the Board;

(b) the person who referred a matter to him in accordance with regulations made under section 213 or 214 of the Act or a representative of such a person appointed under those regulations;

(c) any person who has been notified of the reference of that matter; and

(d) any person providing an expert opinion or other evidence in connection with the reference of that matter.".

Signed by authority of the Secretary of State for Work and Pensions.

Philip A. Hunt
Parliamentary Under-Secretary of State,
Department for Work and Pensions

20th July 2005

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Pension Protection Fund (PPF Ombudsman) Order 2005 (S.I. 2005/824) ("the principal Order") which makes provision in respect of the Ombudsman for the Board of the Pension Protection Fund ("the PPF Ombudsman") and the Deputy PPF Ombudsman.

Article 2 amends article 7 of the principal Order to provide that the PPF Ombudsman may, during the course of his investigation of a reviewable matter referred to him by virtue of regulations made under section 213 of the Pensions Act 2004 ("the Act") or of a complaint of maladministration referred to him by virtue of regulations made under section 214 of the Act, disclose to specified persons information obtained during the course of the investigation.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

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