STATUTORY INSTRUMENTS

2010 No. 7

TERMS AND CONDITIONS OF EMPLOYMENT

The Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2010

Made - - - -	*5th January 2010*
Laid before Parliament	*12th January 2010*
Coming into force - -	*1st October 2012*

The Secretary of State makes the following Order in exercise of the powers conferred by section 43F of the Employment Rights Act 1996(**a**):

Citation and commencement

1. This Order may be cited as the Public Interest Disclosure (Prescribed Persons)(Amendment) Order 2010 and shall come into force on 1st October 2012.

Amendment of the Public Interest Disclosure (Prescribed Persons) Order 1999

2.—(1) The Schedule to the Public Interest Disclosure (Prescribed Persons) Order 1999(**b**) is amended in accordance with paragraph (2).

(2) In the entry relating to the Pensions Regulator, in the Second Column, after "Matters relating to occupational pension schemes and other private pension arrangements", insert "including matters relating to the Regulator's objective of maximising compliance with the duties under Chapter 1 of Part 1 (and the safeguards in sections 50 and 54) of the Pensions Act 2008(**c**).".

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

Angela Eagle
Minister of State,
Department for Work and Pensions

5th January 2010

(**a**) 1996 c.18. Section 43F was inserted by the Public Interest Disclosure Act 1998 (c.23), section 1.
(**b**) S.I. 1999/1549. The Schedule to that Order was substituted by S.I. 2003/1993. That Order has been amended by other instruments but with the exception of S.I. 2005/2464 not in a way material to this Order. S.I. 2005/2464 amended the entry relating to the Occupational Pensions Regulatory Authority to refer to the Pensions Regulator.
(**c**) 2008 c.30.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends The Public Interest Disclosure (Prescribed Persons) Order 1999 (S.I. 1999/1549, the "1999 Order") by amending the entry in the Schedule to the 1999 Order in relation to the Pensions Regulator.

Section 47B of the Employment Rights Act 1996 (c.18, the "1996 Act") provides a worker with the right not to suffer detriment, as a result of making a 'protected' disclosure. A qualifying disclosure is a protected disclosure by virtue of section 43A of the 1996 Act (inserted by section 1 of the Public Interest Disclosure Act 1998).

This Order amends the 1999 Order so that a disclosure to the Pensions Regulator about matters relating to the Pensions Regulator's objective of maximising compliance with the duties under Chapter 1 of Part 1 (and the safeguards in sections 50 and 54) of the Pensions Act 2008 (c.30) will be a qualifying disclosure.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Department for Work and Pensions, ERSP, Level 7, Caxton House, Tothill Street, London SW1H 9NA and is annexed to the Explanatory Memorandum which is available alongside this instrument on the OPSI website.

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