

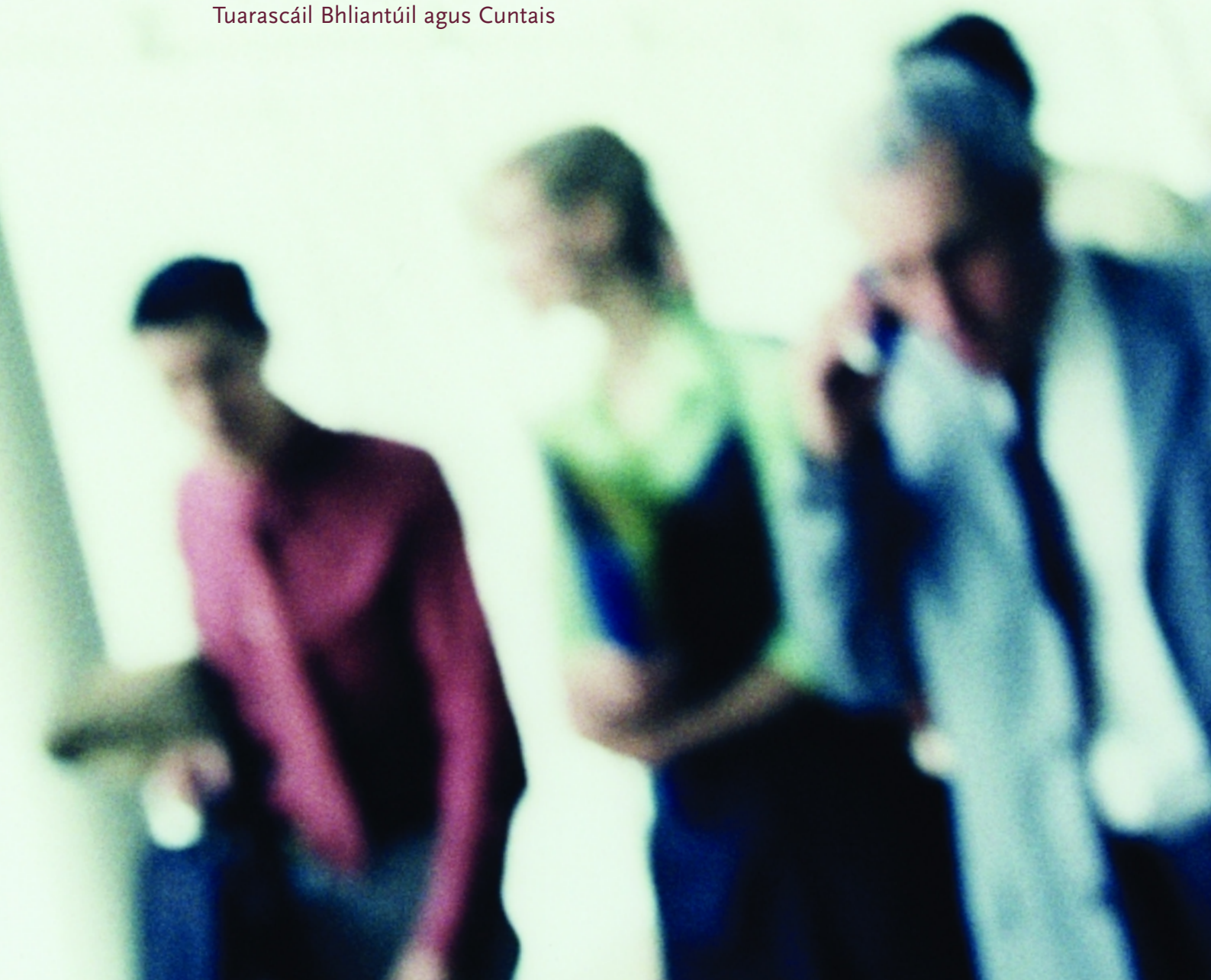


An Bord Pinsean -
The Pensions Board

Authority for Pensions

ANNUAL REPORT AND ACCOUNTS 2001

Tuarascáil Bhliantúil agus Cuntais





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Mission Statement

Misean an Bhord Pinsean

Sábháilteach pinsean ceirde a chur chun cinn trí:

- threoir údarásach a sholáthar do iontaobhaithe agus do riarthóirí ar chomhlíonadh Acht na bPinsean agus ar dheachleachtadh ginearálta i ndáil le riaradh scéime, agus trí thraenáil iontaobhaí cuí a mholadh;
- réimse leathan eolais ar chearta na mball faoi Acht na bPinsean a chur ar fáil go héas ca do bhaill scéime agus do dhaoine eile ar suim leo é agus trí bhaill a spreagadh dun na cearta seo a úsáid d'fhonn a dteidil pinsin a chosaint; agus
- mhonatóireacht agus stiúradh a dhéanamhar scéimeanna pinsean gairme agus, áit is gá, comhlíonadh Acht na bPinsean a chur i bhfeidhm tríd na Cúriteanna.

Tuilleadh forbairte ar phinsin in Éirinn a chothú trí sholáthar:

- treoir polasaí agus comhairle dírithe ar fheidhm níos leithne a bhaint as pinsin atá oiriúnach, sábháilte, solúbtha agus eifeach tach ó thaobh chostais de d'fhonn freastal ar sholáthar pinsean sna blianta romhainn do dhaonra atá ag dul in aois.

Mission of The Pensions Board

To promote the security of occupational pensions by:

- providing authoritative guidance to trustees and scheme administrators on compliance with the Pensions Act and on good practice generally in relation to scheme administration, and by encouraging appropriate trustee training;
- making a wide range of information on members' rights under the Pensions Act readily available to scheme members and other interested parties and by encouraging members to use these rights to assist in safeguarding their pension entitlements; and
- monitoring and supervising the administration of occupational pension schemes and, where necessary, enforcing compliance with the Pensions Act through the Courts.

To promote the further development of pensions in Ireland through the provision of:

- policy guidance and advice aimed at encouraging the wider application of adequate, secure, flexible and cost efficient pensions to meet the challenge in the coming decades of pension provision for an ageing population.

Chairperson's Introduction

It is with pleasure that I submit the eleventh Annual Report of An Bord Pinsean – The Pensions Board ("the Board") for the year ended 31 December 2001.

Last year was a time of development and growth for the Board. I am happy that the Board's move in October 2001 to new premises has been a success. A new location, additional staff and a new legislative framework for retirement provision in Ireland sets the scene for 2002 as a year of consolidation and further development for the Board.

The passing of the Pensions (Amendment) Act in April 2002 reflects the culmination of many months of policy consideration by the Board. The Pensions (Amendment) Act will contribute to a more secure and accountable environment for pension provision. The Board looks forward to the fresh and demanding challenges that will result for it from the provision in the amending statute of a new vehicle for retirement provision, the Personal Retirement Savings Accounts ("PRSAs").

Policy Advice

Last year's annual report reflected that all the Board's Policy Programme reports relevant to preparation of the Pensions (Amendment) Bill, 2001 had been forwarded to the Minister for Social, Community and Family Affairs ("the Minister") by 31 December 2000. The Board acknowledges the acceptance, implementation and publication by the Minister of its recommendations in various policy areas in the Pensions (Amendment) Bill. The Board is satisfied with the extent to which its policy advice has been given voice in the Pensions (Amendment) Act, 2002 and, in particular, that it represents the partnership consensus on which this advice was based.

In 2001, the Board continued its examination of various matters on its policy programme, mainly associated with the evolving contents of the Pensions (Amendment) Bill. In 2002 the Board will finalise a new policy strategy and resulting policy programme for the remainder of its term of office. Whilst the emphasis of the Board is on implementation of the National Pensions Policy Initiative recommendations, and, in particular, the provisions of the Pensions (Amendment) Act, the Board also intends to work towards evaluating the likely pensions position in 3-5 years. In relation to all of its policy work the Board would envisage appropriate consultation.

Compliance

The Board recognises its regulatory role as its primary one. In this context, the Board is pleased that it has succeeded in recruiting additional resources to its Investigations and Compliance Unit in late 2001. The Board is conscious of the fact that breaches of statutory obligations and safeguards undermine the security of occupational pension schemes and harm the interests of their members. The Board, therefore is fully intent on pursuing, where appropriate, breaches of statutory duty through the courts if necessary.

During 2001 the Board monitored the third actuarial funding certificate due, under statutory deadlines, to be submitted to the Board between 1 January and 30 September 2001. The Board had concerns that there might be delays or problems in securing compliance for the large number of schemes which

were required to submit certificates in this period. Some advance action was taken in order to reduce the chance of possible problems in this area and the outcome was satisfactory with 98.5% of certificates being submitted in a timely fashion.

The Board is also pleased that its consultations with major institutions involved in pension provision and administration have now largely reached a satisfactory stage. These arose out of the Board's conduct of random audit-type examinations of compliance with the Disclosure of Information Regulations, which provided evidence of administrative shortcomings. The outcome of the exercise has been satisfactory from a regulatory viewpoint, resulting in a significant improvement in the processing of the various compliance requirements handled by institutions, on behalf of scheme trustees, within the statutory timescales. The Board has now commenced monitoring the improved compliance position by resuming the audit-type examinations of random samples of schemes.

Over the coming period, the Board sees the desired level of supervisory activity for occupational pension schemes as being an increase in supervisory activity over and above the level currently operated but only in selected ways and areas in which the compliance gains are likely to be significant. The Board also recognises and is concerned about the dangers of over-regulation and excessive complexity and in this context sees the need to consider the question of "simplification".

PRSAs

During 2001 the Board put in place a new PRSA Unit which will have regulatory responsibility for PRSA activities. As the framework for this activity nears finalisation, the Board continues the preparations necessary to be in a position to open for such business and to be able to approve PRSA products, jointly with the Revenue Commissioners, within the statutory requirements. The Board awaits with anticipation the introduction of PRSAs and looks forward to the inherent challenges of this regulatory function which will be carried on in conjunction with the existing regulatory functions for occupational pension schemes.

Information Provision

2001 was an active year in the area of information provision, pensions awareness and encouragement of development of pension coverage. In particular, the Board was very pleased with the response to its euro information and the greatly increased use of its website.

Governance

The Board has operated in accordance with the 1992, as revised in 1998, State Bodies Guidelines. The Board has now formally adopted the revised Code of Practice for the Governance of State Bodies issued by the Department of Finance in October 2001. We aim to be in a position to apply all or most of its provisions with effect from the next annual report.

Conclusion

As a concluding statement, I want to pay tribute to my colleagues on the Board and to the Chief Executive, Anne Maher, and her staff, who during 2001 made a significant contribution to the achievement of further legislative change in the area of private pension provision in Ireland and also to the satisfactory supervision and regulation of occupational pension schemes. I look forward to continuing to work with the Board and its staff over the next four years.

I would like to thank the Minister for his support and encouragement of the Pensions Board during his term of office. We are also very fortunate in the excellent relationships enjoyed with the officials of his Department and I would like to extend my thanks to them.



Gráinne Clohessy
Chairperson

Réamhrá an Chathaoirligh

Is cúis áthais dom an t-aonú tuarascáil bhliantúil déag ón mBord Pinsean ("An Bord") don bhliain dar críoch 31 Nollaig 2001 a thairiscint faoi bhráid.

Ba bhliain foráis agus forbartha don Bhord an bhliain seo a chuaigh thart. Is cúis sásaimh dom gur éirigh chomh maith le haistriú an Bhoird chuig oifigí nua i mí Dheireadh Fómhair 2001. Tá bonn maith tógtha chun go mbeidh an bhliain 2002 ina bliain bheisfhorbartha agus dhaingnithe toisc go bhfuil ar fáil anois láthair nua, breis foirne agus ceathreachtaíocht úr don soláthar sa tír seo don dul ar scor.

Bhí achtú an Achta Pinsean (Leasaithe) in Aibreán 2001 ina thoradh ar na mionna de phlé polasaí ag an mBord. Cabhróidh an tAcht seo le haeráid níos socaire agus níos inchuntais a chur ar fáil don soláthar pinsean. Tá an Bord ag súil leis na dúshláin úra éilitheacha a thiocfaidh de bharr foráil ar leith le haghaidh pinsean scoir sa statúid leasaithe; is é sin na Scorchuntais Taisce Pearsanta ("PRSAs" sa bhearla).

Comhairle i leith Polasaí

Léiríodh i dtuarascáil bhliantúil na bliana seo caite go raibh tuarascálacha uile Clár Polasaí an Bhoird i lámha an Aire um Ghnóthaí Sóisialta, Pobail agus Teaghlaigh ('An tAire') faoin 31 Nollaig 2001, go háirithe an méid a bhain le hullmhú an Achta Pinsean (Leasaithe) 2002. Is mór leis an mBord gur ghlac an tAire san Acht céanna lena gcuid moltaí i réimsí éagsúla polasaí, gur fheidhmigh agus gur fhoilsigh sé iad. Tá an Bord sásta leis an aird a tugadh dá moltaí san Acht Pinsean (Leasaithe) 2002 go háirithe toisc gur comhartha é seo ar an gcomhaontú páirtneireachta a bhí mar bhonn lena gcomhairle.

Le linn 2001, lean an Bord dá scrúdú ar choda áirithe dá gClár Polasaí, go príomha ar na coda sin a bhain le hábhar an Achta Pinsean (Leasaithe) de réir mar a bhí an tAcht á fhorbairt. I 2002, tá i gceist ag an mBord críoch a chur le straitéis nua polasaí agus clár polasaí dá reir don tréimhse atá fágtha dá dtéarma oifige. Cuireann an Bord béim ar leith ar ndóigh ar fheidhmiú moltaí an Tionscnaimh Pholasaí Náisiúnta um Pinsin, chomh maith le feidhmiú atá san Acht Pinsean (Leasaithe). Mar sin féin, tá i gceist chomh maith measúnú a dhéanamh ar staid dhóchúil cúrsaí pinsean sa tréimhse 3-5 bliana romhainn. Maidir le gach gné dá gcuid oibre i gcúrsaí polasaí, beidh comhchomhairle chuí á ghlacadh ag an mBord.

Géilleadh do Rialacháin

Aithníonn an Bord mar phríomhchúram acu a ról rialaithe. Ina leith seo, is sásúl don Bhord gur éirigh leo breis acmhainní a aimsiú ag deireadh na bhliana 2001 don Aonad Fiosruithe um Ghéilleadh do Rialacháin. Tuigeann an Bord go lagaítear daingne na ngairm-scéimeanna pinsean agus go ndéantar dochar do leas na mball mura gcloítear leis na rialacha statúideacha. Tá i gceist ag an mBord, dá réir, aon sárú a déantar ar an dualgas statúideach a leanúint tríd na cúirteanna más gá, in aon chás gur cuí sin.

I rith na bliana 2001, rinne an Bord monatóireacht ar an triú teastas achtúireach a bhí dlite a bheith faoi bhráid an Bhoird, de réir amscálaí statúideacha, idir an 1 Nollaig agus an 30 Meán Fómhair 2001. Bhí de chúis imní ag an mBord go dtarlódh moill nó fadhbanna glactha i leith an líon ard

scéimeanna a raibh teastais fúthu le bheith lóistéalte le linn na tréimhse seo. Rinneadh réamhobair dá réir chun nach dtarlódh fadhbanna, réamhobair a raibh de thoradh fóna uirthi 98.5% de na teastais a bheith istigh faoin spriocdhata.

Is cúis bhreise sástachta don Bhord go bhfuil ag staid shásúil anois an comhchomhairliúchán a déantar leis na príomhfhórais soláthair agus riartha pinsean. D'éirigh an próiseas comhchomhairliúcháin seo as cur chuige an Bhoird scrúdú iniúchaitheach ar bhonn teagmhasach a dhéanamh ar chúrsaí géilleadh do na Rialúcháin Foilsithe Faisnéise, scrúdú a léirigh laigi áirithe riaracháin. Bhí de thoradh sásúil ar an gcleachtas seo an Bhoird, ó thaobh rialaithe de, gur tharla feabhas suntasach i bpróiseáil na rialacha eagsula a láimhseálann na hinstiúidí thar ceann iontaobhaithe na scéimeanna, agus é sin laistigh de na hamscálaí statúideacha. Tá an staid fheabhsaithe seo á mheasúnú as an nua ag an mBord faoi lathair agus atosú déanta ar an scrúdú iniúchaitheach i gcás sampla teagmhasach scéimeanna.

Sa tréimhse romhainn amach, is é tuairim an Bhoird gurb é an leibhéal inmhianaithe gníomhaíochta i leith cúrsaí aoirseachta breisfhorbairt ar a bhfuil ar siúl faoi láthair, ach é sin ar bhealach agus i réimísí atá réamhroghnaithe d'fhonn cur go suntasach le feabhsú ar ghéilleadh do na rialúcháin. Tá an Bord feasach ar an mbaol a d'fhéadfadh a bheith le for-rialú agus le ró-chastacht, agus is cúis imní dó sin. Tuigeann an Bord dá réir an gá atá le cúrsaí simplithe a mheas.

Scorchuntais Taisce Pearsona (PRSA)

I rith 2001, bhunaigh an Bord aonad nua (an tAonad PRSA) a bheidh freagrach as cúrsaí PRSA. Anois go bhfuil an chreat chuige seo geall leis i gcrích, tá an Bord ag leanúint leis na socruithe atá riachtanach chun tús a chur leis an obair áirithe seo, chun a bheith réidh le glacadh le táinigí PRSA i gcomhpháirt leis na Coimisinéirí Ioncaim, agus laistigh de na riachtanais statúideacha. Is le fonn atá an Bord ag dúil leis na Scorchuntais a thúsú agus le dúshlán na feidhme rialaithe seo, feidhm a oibreofar i dteannta na rialúcháin atá ann cheana féin i gcás na ngairmscéimeanna pinsean.

Soláthar Eolais

Ba bhliain ghnóthach a bhí sa bhliain 2001 maidir le soláthar eolais, maidir le ardú feasachta i leith cúrsaí pinsean, maidir le leathnú ar phinsin a bheith á dtógáil amach. Ba chúis mhór sásaimh don Bhord an fhreagairt a tugadh ar a feachtas eolais ar an euro, chomh maith leis an úsáid bhreise a baineadh as suíomh idirlín an Bhoird.

Rialú

Is de réir na dTreoirilinte d'Fhorais Stáit 1992, leasaithe 1998, a fheidhmíonn an Bord. Ghlac an Bord go foirmiúil leis an gCód Cleachtais leasaithe maidir le Rialúchán Foras Stáit a d'éisigh an Roinn Airgeadais mí Dheireadh Fómhair 2001. Beifear i riocht na míreanna uile ann, nó a bhformhór, a fheidhmiú don chéad tuarascáil bhliantúil eile.

Conclúid

Mar fhocal scoir, ba mhaith liom beannú uaim do mo chomhghleacaithe ar an mBord agus don Phríomhfheidhmeannach, Anne Maher, agus don fhoireann faoina stiúir. Is iad a rinne a gcion le linn na bliana 2001 chun breis athruithe reachtaíochta a bhaint amach i gcúrsaí pinsean príobháideacha in Éirinn, chomh maith le cúrsaí rialaithe na ngairmscéimeanna pinsean. Táim ag súil le bheith ag obair leis an mBord, agus le foireann an Bhoird, sna ceithre bliana romhainn. Ba mhaith liom buíochas a ghabháil leis an Aire as an tacaíocht agus as an spreagadh a thug sé don Bhord Pinsean le linn a théarma oifige. Tá an t-ádh orainn chomh maith le feabhas na gcoibhneas atá againn le hoifigigh Roinn an Aire. Tá mo bhuíochas acu.



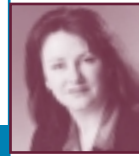
Gráinne Clohessy
Cathaoirleach

The Pensions Board

The Pensions Board is a representative Body, comprising, as at 31 December 2001, a chairperson and fourteen ordinary members. While all its members are appointed by the Minister, under the provisions of the Pensions Act, 1990 (as amended) the Board must comprise representatives nominated by trade unions, employers, the Government, the pensions industry, member trustees and professional groups involved with occupational pension schemes.

The term of office for Board members is five years. Casual vacancies are filled directly by the Minister or on the nomination of the relevant nominating body, as appropriate. A person who fills a casual vacancy only holds office until the end of the five-year period.

The members of the Board as at 31 December 2001:



Gráinne Clohessy Nominee of the Minister for Social, Community and Family Affairs (*Chairperson*)



Kevin Brabazon Nominated by the Irish Business and Employers Confederation



Brian Buggy Nominated by the Association of Pension Lawyers in Ireland



John Byrne Nominee of the Minister for Social, Community and Family Affairs



Rosheen Callender Nominated by the Irish Congress of Trade Unions



Marie Daly Nominated by the Irish Business and Employers Confederation



Tom Finlay Nominated by the Irish Association of Pensions Funds



Paul Kelly Nominated by the Society of Actuaries in Ireland



Ciarán Long Nominated by the Irish Insurance Federation



Niamh Maguire Nominee of Minister for Social, Community and Family Affairs



Dermot Quigley* Representative of the Minister for Finance



Mary O'Donnell Nominee of Minister for Social, Community and Family Affairs



Anne Vaughan Representative of the Minister for Social, Community and Family Affairs



Fergus Whelan Nominated by the Irish Congress of Trade Unions



Tom Wright Nominated by the Consultative Committee of Accountancy Bodies – Ireland

* Replaced Joe Mooney on 19/09/01.

The Board met 11 times in 2001.



The Pensions Board Objectives for 2001

The objectives were as follows:

National Pensions Policy Initiative/ Pensions Act

- To support and input into the Pensions Act and other related legislation.
- To ensure implementation of the NPPI recommendations.
- To ensure completion of a coverage survey in order to provide a bench mark for the new pensions regime.
- To support preparation of content of Regulations and Guidance Notes underlying
 - (i) PRSAs
 - (ii) Other Pension Bill areas
 - (iii) Family Law changes
 - (iv) Part time work changes
 - (v) Member trusteeship (revision)

Policy

- Identification of policy items to be considered taking account of items listed by the previous Board which include certain NPPI recommendations and items touched on but not developed by the previous Board.
- To advise the Minister on the proposal for an EU Pensions Directive and prepare for the implementation of this.

Regulatory

- To implement the consultants' regulatory review recommendations as agreed by the Board.
- To control Funding Standard 3 year cycle requirement.

Operational

- To identify and put in place processes and systems for regulation of PRSAs.
- To put in place
 - (i) additional staff resources for current activities, and
 - (ii) staff resources for PRSAs, as set out in the Staffing Submission of December 2000.
- To prepare for effect of the Euro changeover on the Board's activities and to provide adequate information services to the Board's customers in relation to the Euro.
- To arrange adequate office accommodation for the Board for a reasonable period.
- To formalise a Quality Customer Services plan.
- To carry on all other ongoing Board activities and improve quality of these where possible.
- To replace in-house IT network.

General

- To facilitate new Board becoming viable and effective.

Committees

The Board works through a Committee system and much of its detailed work (such as the preparation of reports for the Minister) is initially undertaken by a Committee. The Committees may include people who are not members of the Board, but who have particular expertise in relevant fields. All Committees are also attended by relevant Board staff.

During the year to which this Report relates, the composition of these Committees was as follows:

Finance and Audit

Kevin Brabazon
(Chairperson)
Kieran O'Dea *(Secretary)*
John Byrne
Niamh Maguire
Tom Murphy
Mary O'Donnell
Dave Salter
Anne Vaughan
Tom Wright

The Committee met 7 times in 2001.

Policy

Tom Finlay *(Chairperson)*
Gerard Clarke *(Secretary)*
Kevin Brabazon
Brian Buggy
Rosheen Callender
Marie Daly
Paul Kelly
Ciarán Long
Dermot Quigley*
Dave Salter**
Anne Vaughan
Fergus Whelan

* Replaced Joe Mooney in the course of the year.

** Replaced Liam Walsh in the course of the year.

The Committee met 6 times in 2001.

Legislation

Ciarán Long *(Chairperson)*
Aideen Bugler *(Secretary)*
Larry Broderick
Brian Buggy
Martin Conneely
Andy Kelly
David Salter*
Philip Shier
Ultan Stephenson
Tom Wright

* Replaced Liam Walsh in the course of the year.

The Committee met 10 times in 2001.

In addition to the formal Committees of the Board a Survey Steering Group was also created to monitor both an ESRI and CSO pension surveys that are due for release in 2002.

Survey Steering Group

Robert Woods *(Chairperson)*
Rosheen Callender
Anne Vaughan
Liam Walsh*
Tom Murphy

* Resigned during the year.

Partnership Committee

Aideen Bugler
Catherine Goulding
Ciaran Holahan
Mary Hutch
Karen Johnston
Anne Maher
Julie McCarthy
Kieran O'Dea

Staff of the Board

Chief Executive

Anne Maher

(re-appointed in December)

P.A. to Chief Executive

Renee Cheesman

(contract appointment)

Head of Investigations
and Compliance

Jerry Moriarty

(appointed in October)

Head of Information and Training

Mary Hutch

Head of Corporate Services/
Financial Controller/Registrar

Tom Dunphy

(Secretary to the Board)

Head of PRSAs

Philip Dalton

*(transferred in October
from Investigations
and Compliance Unit)*

Head of Technical Services
and Research

Tom Carney*

(appointed in October)

Assistant Heads of Technical
Services and Research

Michele Cusack

Maria-Teresa Kelly Oroz

(appointed in December)

Assistant Head of PRSAs

Mary Howe

*(transferred in October
from Technical Services
and Research Unit)*

Management Team



Anne Maher



Mary Hutch



Tom Dunphy



Philip Dalton



Jerry Moriarty



Tom Carney

Assistant Head of
Investigations and Compliance
Gerard Clarke

(appointed in October)

Assistant Head of Corporate Services
Gregory Whelan

(appointed in October)

Information Officer
Catherine Goulding/Gail Seekamp

(Job Sharers)

PRSAs/HR
Aideen Bugler
*(transferred from Investigations
and Compliance Unit)*

IT and Registration Manager
John McCarthy**
(appointed in October)

Investigations and Compliance
Domhnall Cullinan
(appointed in November)

Corporate Services/Finance
Kieran O'Dea

Enquiries and Information
Edel Stenson

Disclosure and Funding Compliance
Carol Jordan
*(transferred in August from
Corporate Services Unit)*

Investigations
Ciarán Holahan
(transferred from Information Unit)

IT Systems
Gwen Conlon
(appointed in October)

Registration and Funding
Caroline Conlon
(appointed in November)

Administrative Staff
Sherry Bass
Maureen Byrne
(appointed in December)
Jackie Christie
Nuala Clancy
Elisha Commons
Marie Earley
Susan Gleeson***
(appointed in September)
Karen Johnston
Julie McCarthy
(appointed in October)

* Replaced Ian Woods
who commenced a career
break in September.

** Replaced David Moore
who resigned in August.

*** Replaced Sylvia O'Mahony
who resigned in September.

Administrative and Financial Report

Administration

The administrative structures put in place to support the Board's activities operated satisfactorily in 2001. The approved staff complement at the end of 2001 stood at 38.5 posts with 31 posts filled with the remaining 7.5 posts to be filled as required in the context of activity levels. The Board's approved staff complement was increased to meet those functions which flow from its additional role as supervisor of PRSAs as provided for in the Pensions (Amendment) Act, 2002.

The Board's policy at all times is to ensure the safety, health and welfare of its employees by maintaining a safe place and system of work pursuant to the requirements of the Safety, Health and Welfare at Work Act, 1989. The Board, after its first decade of development, required larger office capacity to accommodate its increased staff complement and resources. In October 2001 the Board relocated to new offices in Verschoyle House, 28/30 Lower Mount Street, Dublin 2 having acquired a leasehold interest there for 25 years of 10,602 square feet.

Code of Practice for the Governance of State Bodies

The 1992 State Bodies Guidelines, as revised in 1998, governing the conduct in business of Board members and staff are being observed. These Guidelines reflect requirements under the Freedom of Information Act, 1997, and include procedures for the disclosure of interests by Board members.

In October 2001, the Department of Finance issued a revised mandatory Code of Practice for the Governance of State Bodies for application by all commercial and non-commercial State bodies. The revised Code builds on the 1992 document and sets out additional mandatory measures and requirements. Given the extensive nature of these measures and requirements, the Board would propose to introduce its revised Code of Practice on a gradual basis while giving priority to the most immediate requirements.


The revised Code would require the Chairperson to make a statement on internal financial control in respect of each accounting year ending on 31 December. To meet this obligation the Board intends to make progress on the assessment and development of internal controls during 2002. In addition the Board plans to have an independent assessment of risk exposure carried out by external experts and to have drafted an independent recommendation for an appropriate system of internal control.

The Board's aim is to be in a position to apply all or most of the Code's provisions with effect from the next annual report (year ending on 31 December 2002).

Finance

Expenditure for the year ended 31 December 2001 amounted to €3,240,539 (IR£2,552,132), which represents an increase of 75.9% when compared to the previous year. The increased expenditure is primarily due to greater staffing levels, higher accommodation costs and the once-off payments associated with the acquisition of and move to new premises together with the costs incurred for the introduction of PRSAs.

€2,301,765 (IR£1,812,787) was generated in fee revenues pursuant to the Occupational Pension Schemes (Fees) (Amendment) Regulations, 1997 (S.I. No. 488 of 1997) and was broadly comparable to that raised in 2000.



The Department made funding available to the Board in the sum of €934,943 (IRE736,327) to defray costs incurred prior to the introduction of PRSAs including V.A.T. and other costs attached to the lease and fit-out of the Board's new offices. The Pensions (Amendment) Act, 2002 will provide for a separate fee income stream to cover the cost of administering PRSAs. The Department will continue to provide funding until the volume of uptake of PRSAs is such that the required funding can be obtained through the PRSA sector itself. In so far as possible, the Board will fund its Occupational Pension Scheme activity under the existing fee arrangements as provided for under the Pensions Act, 1990.

Miscellaneous income amounting to €139,013 (IRE109,482) was generated from interest from moneys held on account, sale of publications and contributions from the Department for policy development work.

The deficit of expenditure over income arising from the year's operations amounted to €236,311 (IRE186,110). The corresponding surplus in 2000 was €575,126 (IRE452,948).

The Board requested the Minister, pursuant to Section 25 of the Pensions Act, 1990 to increase its fee with effect from 1 January 2002 (at the current level since 1 January 1998) to cover additional expenditure in respect of its occupational pension schemes activity. Due to the changeover to euro occurring at the same time the Minister declined to grant the increase with effect from 1 January 2002. The Minister, however, has indicated his willingness to consider an alternative date in 2002. For operational reasons it was decided not to seek to introduce a fee change part of the way through the year. The Board will review its fee requirements during 2002 with a view to making a further submission to the Minister for a fee increase to take effect from 1 January 2003.

Fee Collection

At the end of 2001 circa 18,000 occupational pension schemes were obliged to pay the statutory fee for schemes with more than one member. 80,000 one-member schemes established on or after 1 January 1993 were also obliged to pay a statutory fee. The aforementioned figures exclude 'AVC (additional voluntary contribution) only' schemes and 'Death Benefit only' schemes.

A large part of the Board's activities in respect of the registration of schemes, maintenance of the register and collection of fees was performed with the assistance of professional intermediaries acting on behalf of their trustee clients. The Board appreciates their ongoing co-operation.

Financial Outlook

The pattern of normal running costs and operating levels largely continued to apply during 2001 with buoyant fee income. The review of the role and operation of the Pensions Board carried out by Deloitte and Touche on behalf of the Department had recommended a staff increase of 17.5 to be recruited as operationally required. Towards the latter half of 2001, staff and office accommodation costs increased to a new level as the Board sought to address inadequate staffing levels in areas of the executive dealing with occupational pension schemes. As mentioned above, increased costs resulted from the Board's preparations for its anticipated supervisory role for PRSAs.

The Board decided not to make any further transfers from the income and expenditure account to the compliance enforcement reserve, which now stands at €190,461 (IRE150,000).

The timing of fee income receipts may result in the Board, from time to time, having cash surplus to its immediate requirements. Where a cash surplus occurs, it is invested in short term low risk securities which yield an acceptable return consistent with the statutory functions and authority of the Board.

At the end of 2001, the Board's Revenue Reserve, being accumulated surpluses, was €719,911 (IRE566,976).

A new Capital Reserve was created in 2001 and represents the element of funds provided to the Board by the Department and used to fund the PRSA capital expenditure incurred. It is transferred annually to the income and expenditure account by reference to the depreciation profile of the assets acquired.

At the end of 2001, the Board had a Capital Reserve of €406,616 (IRE320,236).

Guidance

MISSION STATEMENT

“...To promote the security of occupational pension schemes by providing authoritative guidance to trustees and scheme administrators on compliance with the Pensions Act and on good practice generally in relation to scheme administration, and by encouraging appropriate trustee training...”

During 2001, the Board continued to promote the security of occupational pension schemes by providing clear, authoritative guidance to trustees and pension practitioners on how to comply with the Pensions Act and good practice generally in relation to scheme administration. As the Pensions Act and its Regulations override the trust deed and rules of schemes, it is important that scheme trustees, administrators, and other professional advisers ensure that they are aware of up-to-date legislation and Board guidance notes. The full range of technical support and guidance notes services currently provided by the Board are set out below.

Legislation Service

Designed for pension practitioners, the Board provides a legislation service which is available by subscription. Subscribers to this service receive the consolidated text of the Pensions Act and Regulations, including all amendments made to date. The text of the legislation is made available in loose-leaf format in a binder, which facilitates regular updating. It is intended to present the service in two newly designed binders. One binder will contain the consolidated text of the Pensions Act, including the extensive changes and two new Parts resulting from the passing of the Pensions (Amendment) Act, 2002. The second will contain the Regulations made under the Act as amended. There are currently 181 subscribers to this service.

Guidance Notes

The Board makes available, by subscription, detailed guidance notes on the various parts of the Pensions Act and its Regulations, especially in those areas which override the trust deed and rules of the scheme. Subscribers to the service receive updates to take account of any legislative changes. As with the legislation service, the guidance notes are in loose-leaf format to facilitate updating.

It is intended to change the presentation of the guidance notes service also, in light of the passing of the Pensions (Amendment) Act, 2002 and the many new sets of guidance notes required as a consequence.



Guidance notes are currently available on:

- ▶ Pension Provisions of Family Law Act, 1995 and Family Law (Divorce) Act, 1996;
- ▶ Preservation of Benefits;
- ▶ Disclosure of Information;
- ▶ Member Participation in the Selection of Trustees;
- ▶ Equal Treatment for Men and Women;
- ▶ Compulsory and Voluntary Reporting to the Board;
- ▶ Appointment and Removal of Trustees by the Board; and
- ▶ Determinations by the Board under Sections 38, 53, 58, 64(A) and 75 of the Pensions Act.

Professional guidance is provided by the Society of Actuaries in Ireland to its members on the application of the funding standard. The professional accountancy bodies also provide supplementary guidance to their members on the content and audit of pension scheme annual accounts in accordance with the disclosure of information requirements.

The Board has included more general guidance on the responsibilities of trustees in relation to the funding standard in the trustee handbook.

Guidance on Other Legislation

As indicated above, detailed guidance notes on the application of the pension provisions of the Family Law Acts are available by subscription from the Board.

There is a comprehensive Revenue pensions manual which is available on diskette from the Retirement Benefits District. This manual consolidates the Revenue practice notes on the tax treatment of occupational pension schemes. The manual originated from a working group established by the Board to assist the Retirement Benefits District of the Revenue Commissioners with the consolidation and revision of the practice notes.

Determinations and Information

During 2001, the Board continued to provide, on request, information on the Act and its Regulations in particular circumstances. It also continued to exercise its power to determine, on application, specified questions under various Parts of the Act.

Trustee Handbook

Trustees have overall responsibility under the Pensions Act for the administration of schemes. Accordingly, the main statutory functions of the Board, as set out in Section 10(1) of the Pensions Act, include:

- providing guidance for trustees on their duties and responsibilities in relation to scheme administration;
- issuing codes of practice on specific aspects of trustees' duties; and
- advising the Minister on standards for trustees and their implementation.

The Board has published a trustee handbook to facilitate trustees in the exercise of their duties. The handbook is available in loose-leaf format by subscription. The Board has also published codes of practice in a stand-alone format. The relevant sections have been extracted from the trustee handbook, in order to facilitate subscribers who choose not to avail of the complete handbook service. It is intended to publish a second edition of the handbook and codes of practice in 2003. These will reflect all legislative changes which have occurred since original publication in 1998.

Given the importance of the handbook as a tool to assist the trustees in the effective discharge of their duties and responsibilities, the Disclosure of Information Regulations (S.I. No. 349 of 1998) contain a requirement that specific reference be made in the annual report of each scheme as to whether the trustees of the scheme have access to the trustee handbook.

Trustee Training

A list of trustee training courses has been compiled by the Board and is available to all enquirers on request. The course providers are only included on this list when they have satisfied the Board on the content of their training course. The Board, from time to time, carries out detailed evaluations of the courses being provided. This involves Board staff attending the courses as observers. Continued inclusion on the Board's approved register depends on the outcome of these evaluations.

The cost of trustee training usually involves full expenses for the course and travel, and the cost of the time off from employment, etc. to attend the course. The costs involved may be met in full by the employer(s) sponsoring the scheme. If the costs are not met by the employer, the Pensions Act provides that, notwithstanding anything contained in the rules of the scheme, reasonable costs and expenses incurred in receiving trustee training may be met from the resources of the scheme.

It should be possible for trustees who are member trustees to obtain paid time off from their employers, within reason, to avail of suitable training. The Board monitors the position as part of the surveys referred to below and is currently of the understanding that whilst real difficulties may arise in specific cases, as a general rule significant or widespread difficulties do not exist in relation to provision of paid time off for trustee training.

The first comprehensive survey of trustees was carried out by the Board in 2000, the results of which indicated that 63% of the trustees who responded had undergone training. However, the results were based on a fairly small sample of trustees and as such, cannot be deemed conclusive. The Board intends to conduct regular surveys of trustees in order to establish a more definitive trend in trustee training. The next survey will be due in 2002.



Information

MISSION STATEMENT

“...To promote the security of occupational pensions by making a wide range of information on members’ rights under the Pensions Act readily available to scheme members and other interested parties and by encouraging members to use these rights to assist in safeguarding their pension entitlement...”

The effectiveness of the Pensions Act in safeguarding the rights of scheme members depends on two main factors:

- the extent to which persons are prepared to exercise their legal rights to monitor the administration and financial soundness of the scheme of which they are members;
- the willingness of pension scheme members to request information from trustees in relation to their own personal pension entitlements.

Information Booklets

There is a comprehensive range of information booklets available free of charge from the Board which covers the Pensions Act, the Pensions Board and member's rights both under the Act and under relevant pensions legislation.

In August 2001, three additional booklets were published by the Board to address the implications for pension schemes of the euro changeover. The booklets contain information for members in employment, pensioners including deferred pensioners and trustees.

The Board intends to update all of its information booklets to reflect the legislative changes that result from the enactment of the Pensions (Amendment) Act, 2002.

The distribution network for the booklets continues to be broadened to ensure availability to all persons concerned with occupational pension schemes. For ease of reference, a full list of the Board's current information booklets is set out in Appendix III.

The Freedom of Information Act, 1997

The Board has published:

- a reference book in accordance with Section 15 of the Freedom of Information Act, 1997, the purpose of which is to assist members of the public in ascertaining and exercising their rights under the Act, and

- a reference book in accordance with Section 16 of the Freedom of Information Act, 1997, which contains details of all documents currently published by the Board concerning its rules and practices.

Both publications are available from the Board, free of charge, upon request.

Information Presentations

During 2001, the Board made a number of information presentations to trustees, trade unions, employer personnel, professional bodies and others. Matters covered in the presentations included the main features of the Pensions Act, 1990, the Pensions (Amendment) Act, 1996, the changes envisaged in the Pensions (Amendment) Act, 2002, and other legislation affecting pensions.

The Pensions Board Bulletin

The Board provides an informal communication for interested parties in the form of a Bulletin. The Bulletin is issued on an occasional basis related to the level of new activity at the Board and covers Board developments and current activities in a brief format.

Internet

The Board's website (www.pensionsboard.ie) reflects recognition of the value of the internet as a medium through which information and advice on pension matters may be communicated efficiently to interested parties. The website contains an online version of the Board's information booklets and sets out the structure and functions of the Board while providing a constantly updated list of all forthcoming events.

A commentary on the main provisions of the Pensions (Amendment) Bill, 2001, was posted on the website from August 2001 as a guide mainly for trustees and practitioners. A similar commentary on the Pensions (Amendment) Act, 2002, has been placed on the site together with a comprehensive set of Frequently Asked Questions (FAQs) for scheme members and other interested parties.

Enquiry Service

The Board's enquiry service deals, by telephone and correspondence, with enquiries or complaints received from scheme members and their dependants, prospective members, trustees, trade unions, employers and company employees with personnel, industrial relations and pay functions. Enquiries, including technical queries, are received also from pension practitioners, professional bodies and the representatives of the media.

Where a member reports perceived difficulties in relation to scheme administration, pension entitlements or scheme information, the Board's staff, as a first step, normally advise the member of his or her rights. The member is then directed to an appropriate contact person for the scheme. The Board operates a general policy that queries and/or complaints should be redirected to the scheme trustees for resolution without further intervention by the Board. The Board is conscious that the primary legal responsibility for the proper functioning of occupational pension schemes rests with the trustees.

Tables 1 and 2 overleaf display the results of a statistical analysis of enquiries handled during 2001 with a comparison shown for 2000. The large volume of enquiries in 2001 is evident from Table 1 that shows 4,026 enquiries or complaints were logged. It should be emphasised that this figure excludes those enquiries of a routine nature which raised questions on registration and fee collection.

Information

TABLE 1

CATEGORY OF ENQUIRERS

Enquirer	2001		2000	
	Number	%	Number	%
Active member	1,289	32	1,186	31
Pensioner	113	3	157	4
Trade Union	50	1	49	1
Company/Employer	436	11	327	9
Trustee	112	3	126	3
Pension Practitioner	686	17	742	20
Other	1,340	33	1,236	32
Total	4,026	100	3,823	100

TABLE 2

NATURE OF ENQUIRIES

Nature of Enquiry	2001		2000	
	Number	%	Number	%
Preliminary and General	1,483	34*	152	4
Establishment of Board	272	6*	1,162	28
Preservation	222	5	169	4
Funding Standard	11	–	11	–
Disclosure	849	19	840	20
Trustee Duties	174	4	176	4
Equal Treatment	5	–	39	1
Compulsory Reporting	19	1	3	–
Other Enquiries	1,376	31	1,591	39
Total	4,411	100	4,143	100

* Requests to the Board for its publications were moved from the category of 'Establishment of Board' to 'Preliminary and General' during 2001.

Table 1 provides details of enquiries dealt with on an enquirer category basis. The relative composition of enquirers remains largely unchanged from 2000. 36% of enquiries received were from scheme members, pensioners and trade unions representing members. 17% of enquiries were made by pension practitioners, including pension consultants, life office personnel, lawyers and accountants. Included in the residual category (entitled 'other') are queries from media personnel, social welfare customers, research students, and the general public.

Table 2 indicates an analysis of enquiries received under each Part of the Pensions Act, 1990, and reflects the fact that some enquirers raised more than one question on the statute. Accordingly, the number of enquiries exceeds the number of enquirers.



The largest number of enquiries by identifiable category, related to 'Preliminary and General' which included requests to the Board for copies of its publications and enquiries in relation to the application of the pension provisions of the Family Law Act, 1995 and the Family Law (Divorce) Act, 1996. The second largest number of requests to the Board related to disclosure of information. The heading 'Other Enquiries' is a miscellaneous category which includes matters relating to the application of general trust law, requests from students for information for theses research and matters which do not come under the Board's strict remit, i.e. personal pension plans, social welfare entitlements, permanent health insurance and Revenue requirements.

Disclosure of Information

The Board, in line with primary and secondary legislative requirements, places a particular onus on the trustees of schemes to ensure that information is made available to members promptly and in a comprehensive and easily understood format. In 2001, as in previous years, the larger number of enquiries received by the Board was from members who were having difficulty in obtaining information about their scheme and, in particular, about their individual pension rights. In many cases, members also needed guidance as to what rights they had to such information under the disclosure of information requirements.

The National Pensions Awareness Initiative

In its Report "Securing Retirement Income", published in May 1998, the Board recommended that a "Government-driven pension awareness campaign be conducted in conjunction with the relevant public and private sector bodies".

Consequently, the Minister requested the Board to make preliminary proposals in the area of pension information and awareness in consultation with his Department and the Department of Finance.

As a result, the Board produced a report entitled "Initial Proposals on the National Pensions Awareness Initiative", submitted to the Minister for consideration in January 1999. It is intended that further discussions in this regard will take place this year on foot of the introduction of PRSAs.

Pensions (Amendment) Act, 2002

The Pensions (Amendment) Bill was published in July 2001 and began its passage through the Oireachtas in October 2001 through its introduction in the Seanad. It was passed on 13th April 2002.

The Pensions (Amendment) Act, 2002, finalises implementation of the Board's report on "National Pensions Policy Initiative" which was presented to the Government in May 1998.

The amending statute introduces a framework for Personal Retirement Savings Accounts (PRSAs). Other main features of the statute include an obligation on employers to provide access to PRSAs if membership of an occupational pension scheme is not available after 6 months of employment and the introduction of a Pensions Ombudsman as a new forum for dispute resolution. The Pensions Act, 1990 is amended to protect further the position of pension scheme members through improved vesting rights. Provisions to safeguard the value of benefits for early leavers with effect from June 2002 are also introduced.

Further information is available on the Board's website at www.pensionsboard.ie.

Monitoring

MISSION STATEMENT

“...To promote the security of occupational pensions by monitoring and supervising the administration of occupational pension schemes and, where necessary, enforcing compliance with the Pensions Act through the Courts...”

During 2001, the Board continued its activities of monitoring the administration of occupational pension schemes. The main components of these activities, on which more detailed information is provided below, are:

- registration of schemes;
- conduct of investigations;
- monitoring of funding standard;
- monitoring of disclosure compliance.

TABLE 3

CURRENT SCHEMES-DEFINED BENEFIT*

Scheme Size	No. of Schemes		No. of Members	
	31 Dec 2001	31 Dec 2000	31 Dec 2001	31 Dec 2000
Non-Group	104	163	104	163
1-50	1,263	1,268	20,558	20,604
51-100	204	206	14,636	14,876
101-500	283	296	62,959	65,442
501-1000	54	46	36,180	31,733
1001+	48	48	321,190	316,293
Total:	1,956	2,027	455,627	449,111

* Excluding AVC Only and Death Benefit Only schemes.

Frozen schemes and schemes in winding-up which amounted to 76 schemes are also excluded from this table, some of these are subject to the funding standard and, accordingly, are included in Table 6.

Registration of Schemes

The Board's Register

The Board's register of occupational pension schemes categorises schemes as either 'Non-group' or 'Group'. This categorisation facilitates the proper registration of group schemes that have only one member at the time of registration, but may subsequently take on more members. As a result, a scheme having only one member can fall into the 'Group' or 'Non-Group' category. Accordingly Tables 3 to 8 show both 'Non-Group' and '1-50' categories.



A total of 13,550 new schemes comprising 40,008 new members were registered with the Board during 2001. Of the total new registrations, 11,028 schemes were non-group arrangements, 13,489 were defined contribution schemes, and 4,121 were late registrations, i.e. the scheme was registered later than the statutory provision.

TABLE 4

CURRENT SCHEMES-DEFINED CONTRIBUTION*

Scheme Size	No. of Schemes		No. of Members	
	31 Dec 2001	31 Dec 2000	31 Dec 2001	31 Dec 2000
Non-Group	79,688	70,035	79,688	70,035
1-50	15,926	13,993	71,983	60,616
51-100	217	175	15,057	12,041
101-500	124	102	22,671	19,064
501-1000	10	11	6,578	8,237
1001+	10	5	18,894	10,697
Total:	95,975	84,321	214,871	180,690

* Excluding AVC Only and Death Benefit Only Schemes.

TABLE 5

CURRENT SCHEMES-DEFINED BENEFIT AND DEFINED CONTRIBUTION*

Scheme Size	No. of Schemes		No. of Members	
	31 Dec 2001	31 Dec 2000	31 Dec 2001	31 Dec 2000
Non-Group	79,792	70,198	79,792	70,198
1-50	17,189	15,261	92,541	81,220
51-100	421	381	29,693	26,917
101-500	407	398	85,630	84,506
501-1000	64	57	42,758	39,970
1001+	58	53	340,084	326,990
Total:	97,931	86,348	670,498	629,801

* With the exclusion of AVC Only and Death Benefit Only schemes, this table represents all of the current schemes on the register, both Defined Benefit and Defined Contribution.

Analysis of the Board's Register

Tables 3, 4 and 5 show the number of current schemes providing retirement benefits (excluding additional voluntary contribution and death benefit only schemes) registered with the Board at the end of 2001, and the corresponding number of active members of these schemes. The total overall number of current schemes was 97,931 and their active membership was 670,498. This figure compares with an overall total of 86,348 with an active membership of 629,801 at end 2000. The overall membership increase was 40,697 (or 6.4%).

The tables show that the number of current defined benefit schemes on the register at end 2001 has again decreased compared to the previous year's figures. While 61 new defined benefit schemes were registered during 2001, in total there was a net decrease of 71 in the number of registered defined benefit schemes at end 2001; however, there was an overall increase of 6,516 in the number of members. Only 13% of the membership increase is attributed to the new registrations, the balance was due to increases in membership of existing schemes.

The number of current defined contribution schemes increased by 11,654 in 2001 and the corresponding number of active members covered increased by 34,181. Of this increase in defined contribution schemes, 9,653 were non-group schemes.

Tables 6 and 7 overleaf give a breakdown of the defined benefit schemes providing retirement benefit cover, and their corresponding number of members, as between schemes that are financed fully on a pre-funded basis (Table 6), and those financed fully on a pay-as-you-go basis (Table 7). The schemes in Table 6 are subject to the funding standard provisions in the Pensions Act, 1990. Those in Table 7 are excluded from the application of the funding standard by Regulations because, as public sector schemes, the benefits are, or may be, paid in whole or in part out of monies from the Central Fund or provided by the Oireachtas.

Monitoring

TABLE 6

**DEFINED BENEFIT SCHEMES –
SUBJECT TO THE FUNDING STANDARD***

Scheme Size	No. of Schemes		No. of Members	
	31 Dec 2001	31 Dec 2000	31 Dec 2001	31 Dec 2000
Non-Group	113	171	113	171
1-50	1,299	1,308	20,095	20,183
51-100	195	198	14,025	14,349
101-500	268	281	58,646	61,215
501-1000	50	42	33,008	28,627
1001+	31	31	103,124	101,148
Total:	1,956	2,031	229,011	225,693

** This table includes frozen schemes and schemes in the process of winding-up which are subject to the Funding Standard though not included under "current schemes" in Table 3.*

TABLE 7

**DEFINED BENEFIT SCHEMES – EXCLUDED
FROM THE FUNDING STANDARD**

Scheme Size	No. of Schemes		No. of Members	
	31 Dec 2001	31 Dec 2000	31 Dec 2001	31 Dec 2000
Non-Group	1	1	1	1
1-50	30	28	561	544
51-100	9	9	611	616
101-500	15	15	4,313	4,227
501-1000	4	4	3,172	3,106
1001+	17	17	218,066	215,145
Total:	76	74	226,724	223,639

Although the ratio of defined benefit to defined contribution schemes continues to reduce, the total membership of defined benefit schemes still accounts for a large proportion of the total active membership of schemes in the private sector and the commercial State-sponsored sector. At end 2001, there were 229,011 active members in defined benefit schemes that are subject to the funding standard, as against 214,871 active members in defined contribution schemes. If members of defined benefit public sector schemes that are not subject to the funding standard are included, the total number of members in defined benefit schemes was 455,735 or a ratio



of just over two to one vis-à-vis defined contribution scheme membership at end 2001. This ratio has been declining each year in recent years; while the end 2001 ratio was slightly above two to one, the corresponding ratio at end 2000 was two and a half to one, in 1999 it was three to one, and in 1998 it was three and a half to one.

Investigations and Compliance

General

The Board initiated 75 new investigations into issues concerning occupational pension schemes during 2001. The Board closed 77 investigations during the year and this meant that at the year end, there were 108 open investigations. On many of these the initial issues being investigated have been resolved and the Board is maintaining a monitoring role in relation to the scheme. Investigations are initiated following enquiries or complaints from scheme members, trustees or trade unions through compulsory or voluntary reporting or as a result of random audits carried out by the Board.

The main areas of investigation still remain focused on the duties placed on trustees under the Pensions Act:

- to ensure that contributions due are paid, that the resources of the scheme are properly invested, that benefits are paid in accordance with the rules, and that proper records are maintained; and
- to provide documentation, reports and information as prescribed by the Disclosure Regulations.

The Board's first objective is to protect the interests of the scheme member or members. In cases where it was considered that the matter being considered was serious enough to jeopardise the members' interests an investigation was authorised under the provisions of Section 18 of the Pensions Act. At year-end there were 17 such cases in hand. Two investigations were authorised under Section 18 during the year.

While the Board starts from a position of trying to pursue a policy of securing compliance without recourse to legal

action, it remains committed, where necessary, to using its full powers under the Act.

Compulsory and Voluntary Reporting

These statutory provisions, known as 'whistle-blowing', place a requirement on a range of specified persons involved in the operation of occupational pension schemes to report suspected fraud or material misappropriation to the Board. Specified persons include auditors, actuaries, trustees, insurance intermediaries, investment advisers and any other person who has been involved in assisting the trustees of a scheme. The provisions also contain legal protection for the persons making such mandatory reports, as well as for persons making voluntary reports on any matter concerning the state and conduct of a scheme.

From June 1996, when the legislative provisions became effective, up to end-2001 the Board had received a total of 38 reports under the whistle-blowing provisions, of which 9 were compulsory and 29 were voluntary reports. A total of 12 new reports were received by the Board in the year 2001. While this number is encouraging in terms of organisations and individuals being aware of their responsibilities to report, the Board continues to be uneasy concerning the timing and form of such reports. The mandatory whistle-blowing reports must be made "as soon as practicable" and the more detailed requirements for the reports are clearly set out in the statutory provisions and in the Board's guidance notes.

It appears to the Board that in some cases the report should have been considered, particularly in relation to outstanding contributions, and made at an earlier stage than actually happened. Furthermore, the content of the reports has at times been unclear and this can impact the speed with which the Board can act. This matter is particularly relevant as when the Board has dealt with early reports it has been able to rectify the issues and, in particular, has had a strong track record in ensuring that any outstanding monies have been paid to the scheme. This result has been achieved without recourse to the Board's statutory powers but, quite often, has been largely due to the existence of those powers.

Monitoring

At the end of 2001, the investigation of 21 cases had been completed without recourse to legal action, while the remaining 17 cases were either being monitored by the Board or remained under active investigation.

Monitoring of Funding Standard

General

Under the Funding Standard provisions of the Pensions Act, defined benefit schemes established before 1 January 1991 were required to be fully funded in respect of post-1991 pension rights from the outset, and also to ensure that all pension rights, including pre-1991 rights, are fully funded on a wind-up basis by the effective date (post 1 January 2001) of the actuarial funding certificate submitted to the Board.

The first actuarial funding certificate submitted after commencement of the provisions was required to certify, for those not in receipt of benefits, the degree of funding achieved ("specified percentage") in respect of accrued benefits relating to service prior to 1 January 1991. In the case of subsequent actuarial funding certificates with an effective date of not later than 31 December 2000, schemes were required to certify that the specified percentage had not reduced in the meantime below the percentage initially certified.

Schemes established on or after 1 January 1991 are required to submit to the Board an actuarial funding certificate with an effective date not later than 3.5 years after the commencement date of the scheme. Trustees must continue to submit actuarial funding certificates at not more than 3.5 yearly intervals for as long as the scheme retains any defined benefit liabilities.

Funding Standard Compliance Strategy

The principal components of the strategy operated by the Board to ensure compliance with the statutory minimum funding requirements include:



TABLE 8

COMPLIANCE WITH THE FUNDING STANDARD AS AT 31 DECEMBER 2001

Scheme Size	DB schemes subject to the Funding Standard		Funding Certificates Received		Funding Certificates Outstanding		Other*	
	No of Schemes	No of Members	No of Schemes	No of Members	No of Schemes	No of Members	No of Schemes	No of Members
Non-group	113	113	55	55	3	3	55	55
1-50	1,299	20,095	1,080	18,110	23	195	196	1,790
51-100	195	14,025	175	12,605	2	150	18	1,270
101-500	268	58,646	260	57,674	–	–	8	972
501-1000	50	33,008	47	31,418	–	–	3	1,590
1001+	31	103,124	30	101,924	–	–	1	1,200
Total	1,956	229,011	1,647	221,786	28	348	281	6,877

* This category covers:

- schemes where the requirement to submit an actuarial funding certificate to the Board does not arise until after 31 December 2001;
- UK schemes that have not notified the Board of the fact that the scheme is a qualifying UK scheme under legislation and is exempt from the Funding Standard provisions of Irish legislation (although these schemes will not be subject to the Funding Standard requirements the Board has not received formal notification from the scheme of this); and
- schemes where their status is under review. It is the intention of the Board to clarify this issue in 2002 and to ensure that these schemes are recorded correctly on the register. This step will ensure that schemes are compliant with the regulations as required.

- in the nine month period between the statutory latest effective date for the funding certificate and the statutory latest date for submission to the Board, the issue to the scheme of a letter at 3 and 6 month intervals;
- the checking of certificates submitted to the Board for compliance with the various requirements under Part IV of the Pensions Act;
- in the event of a certificate not being submitted to the Board by the end of the nine month period, the issue to the scheme trustees of a letter reminding them of their statutory duties in this regard and indicating the potential exposure to prosecution if appropriate action is not taken by the trustees within a short stated period; and

- if, despite the preceding steps having been taken, a certificate is not submitted within the stated period, the taking of whatever further action, including legal proceedings, is deemed necessary in order to ensure compliance with the Pensions Act.

2001 Activity

Throughout 2001, the Board dealt with 109 cases of apparent non-compliance, out of a total of 1,956 defined benefit schemes subject to the Funding Standard.

Monitoring

By year end, compliance had been achieved, or satisfactory confirmation that a scheme was no longer subject to the Funding Standard had been received, in 81 cases as follows:

- 77 schemes by issue of letter(s) confirming compliance with the Funding Standard under Sections 42 to 44 of the Act;
- 1 scheme for which a funding proposal was received under Section 49 of the Act; and
- 3 schemes in respect of which modifications of the minimum funding standard requirements were granted under Section 42(5) of the Act.

The Board was corresponding with the trustees in relation to the remaining 28 schemes from which a certificate was outstanding.

The majority of schemes that have been subject to the statutory Funding Standard provisions since they came into force in 1991 were due to submit their third actuarial funding certificate in 2001. The Board is pleased that this obligation did not lead to a large backlog as had previously been the case, largely due to the proactive approach the Board has taken in enforcing the Funding Standard Compliance Strategy as outlined above.

As Table 8 illustrates, the position at the year's end was that funding certificates had been received from 1,647 defined benefit schemes.

The table also sets out the number of schemes on the Board's register, as at 31 December 2001, which are subject to the Funding Standard. It shows that 84% of those schemes had submitted actuarial funding certificates, covering 97% of the membership. Of schemes required to submit an actuarial funding certificate by 31 December 2001, 1.5% failed to do so, covering 0.15% of the relevant membership.



Monitoring of Disclosure Compliance

Disclosure Compliance Strategy

Since 1997, the Board has been carrying out random compliance monitoring of the disclosure requirements under the Pensions Act. Initially, this entailed between 170 and 200 schemes being selected and targeted each year for examination in relation to compliance with the Disclosure Regulations. As part of this process, trustees of schemes are requested to submit to the Board certain information in relation to their scheme, e.g. trustee annual report.

The overall level of non-compliance disclosed over the initial couple of years of the strategy was regarded as unsatisfactory and produced clear evidence that pension scheme administration was frequently not up-to-date in that a large number of schemes were failing to prepare the annual reports within the statutory period of 9 months after the end of the scheme year.

In early 1999, the Board made the various pensions and industry representative organisations aware that it had identified substantial pensions administration arrears and that this was not acceptable. The Board re-iterated its policy of achieving compliance as far as possible through co-operation and in this spirit requested trustees and their advisors to approach the Board if they had a problem, so that a way forward could be agreed without, of course, jeopardising member protection in any way.

During 1999, a number of the largest practitioners approached, or were approached by, the Board in relation to the pension schemes which they were administering on behalf of trustees. Subsequent monitoring activities showed that a substantial amount of work was done to update pensions administration since that time although there are still some issues remaining that are being addressed in consultation with the practitioners involved. This has resulted in a large number of non-compliant schemes becoming compliant. It also resulted in a substantial number of schemes which were not previously registered with the Board being registered. While the Board intends to continue the process by maintaining regular discussions with practitioners, it is felt that the goal of the project had been substantially achieved by the end of 2001 and, therefore, in December 2001, the Board recommenced full implementation of the random compliance audit process. In this respect, it is intended that at least 200 compliance audits will be carried out in 2002. Where schemes are found not to be complying with their statutory duties, the trustees will be considered for prosecution in accordance with the Board's prosecution policy.

General

2001 has been a year of change for the Investigations and Compliance Unit. The unit now has seven members of staff which will enable the Board to be more pro-active and continue to emphasise the need for effective compliance.

While it is the stated policy of the Board to achieve compliance where possible by co-operation with the parties involved, the Board is mindful of the fact that breaches of the Act may undermine the security of occupational pension schemes and the interests of the members of those schemes. The Board, therefore, fully intends to pursue such breaches through the courts, where appropriate.

Policy

MISSION STATEMENT

“...To promote the further development of pensions in Ireland through provision of policy guidance and advice aimed at encouraging the wider application of adequate, secure, flexible and cost efficient pensions to meet the challenge in coming decades of pension provision for an ageing population...”

The Board, supported by a Policy Committee dedicated to the detailed consideration and development of pensions policy, pursues this core mission statement.

General

The functional responsibility of the Board spans two broad areas of activity, the first regulatory, the second policy advice, both being complimentary to each other.

As an essential element of contributing to broad policy formulation, the Board provides advice to the Minister. Section 10 of the Pensions Act, 1990, provides that it is a statutory duty of the Board to advise the Minister, either at his request or on its own initiative on all matters relating to pensions generally.

The advisory policy role of the Board to the Minister includes the following area of activities:

- formulating broad-reaching long-term pension policy (examples would be the “National Pensions Policy Initiative” and subsequent report “Securing Retirement Income”, May 1998);
- providing advice in relation to specific and general issues pertaining to pension regulation, pension policy and standards for trustees of schemes and on their implementation;
- providing input to the formulation and adoption of revised primary and secondary legislation.

Where advice is provided by the Board to the Minister, the following may result:

- policy on overall national pension provision;
- amendment of a technical nature to the pensions primary legislation and its regulations; or
- the development of other policy or legislative proposals at either national or EU level (in relation to occupational pension schemes).

The Board is conscious, at all times, of the need to pursue a policy programme, capable of taking account of the ever-changing environment for retirement provision in Ireland. It is committed to building, within its statutory parameters, upon the National Pensions Policy Initiative and to implement the policy programme that has evolved from that initiative.



In 2001, the Board devoted a large part of its work programme and its resources to supporting and assisting the Minister in the formulation and development of draft legislation seeking to revise the statutory framework for pension regulation founded upon the Pensions Act, 1990. The amending pension legislation aims *inter alia* to provide for greater protection of occupational pension scheme members benefits, the establishment of a Pensions Ombudsman and the creation of a separate pensions vehicle, the Personal Retirement Savings Accounts (PRSAs).

EU and International Pension – Related Matters

The Board was involved, during 2001, in examining and giving advice on the following EU and international pension-related matters:

Proposal for a Directive of the European Parliament and the Council on the activities of institutions for occupational retirement provision.

In 2001, the Board supported and assisted the delegation representing Ireland on the Council's Financial Services Working Group examining the EC Commission's proposal for a directive on the activities of Institutions for Occupational Retirement Provision (IORP).

The draft directive proposes to lay down prudential rules designed to provide a secure environment within which IORP activities are undertaken. In seeking to achieve the objective of an integrated and harmonised EU market for occupational pension provision, the proposal aims to strike a balance between security and affordability. The proposal focuses on harmonising certain basic prudential rules and to establish an EU regime which facilitates the mutual recognition of Member States' pension supervisory rules. A primary thrust of the proposal is to put in place a system of notification and co-operation between competent authorities so as to eliminate national barriers to inter-state movement of IORPs.

The directive proposal was published in October 2000 and followed *inter alia* the EC Commission's Green paper entitled "Supplementary Pensions in the Single Market", an EC Commission Communication issued in 1999 entitled

"Towards a Single Market in Supplementary Pensions" and the adoption by the European Parliament of a Resolution welcoming the EC Commission's intention to propose a directive on supplementary pensions.

Council Directive 97/81EC of 15 December 1997 concerning the framework agreement on part-time work.

The so-called "Part-Time Workers Directive" has as its objective the provision to part-time workers, in respect of general employment conditions, treatment comparable to full-time employees.

The Directive was transposed into Irish law in December 2001 through the adoption by the Oireachtas of the Protection of Employment (Part-Time Work) Act, 2001. The Board continued to offer advice to the Department of Enterprise, Trade and Employment, whose Minister sponsored the implementation of the Directive, throughout the period prior to transposition.

Organisation for Economic Cooperation and Development

The Board, which is appointed to the OECD Senior Committee, represented Irish views at meetings of the OECD in 2001 to discuss efforts to develop high level principles and guidelines for pension provision amongst its member states. As part of the efforts of the OECD to pursue its objectives, a draft template for assessment of the basic principles for the regulation of private occupational pension schemes has been developed by the OECD Secretariat. The Board's participation in this OECD work programme has also involved comment through written procedure.

Regulations

Following consultation with the Board, the regulations listed below were made by the Minister in 2001:

- Occupational Pension Schemes (Revaluation) Regulations, 2001 (S.I. No. 23 of 2001).
- Occupational Pension Schemes (Scheme with External Members) (United Kingdom) (Amendment) Regulations, 2001 (S.I. No. 329 of 2001).

A New Regime for Irish Pensions

Background

The National Pensions Policy Initiative was launched in October 1996. The Initiative was a national consultation and research process. Its aim was to reach consensus on a strategy and recommendations for a national pension system, which would provide adequate retirement provision for all Irish citizens. The underlying documents which provided major input were the ESRI Pension Coverage Survey, 1995, the Actuarial Review of Social Welfare Pensions, 1997, and the final report of the Initiative was the 1998 Report on Securing Retirement Income. This final report from the Pensions Board recommended a way forward for pensions which was largely accepted by Government. Other contributions to pension policy arose from practical experience and from eighteen other reports of the Pensions Board on various relevant issues, for example the need for a Pensions Ombudsman.

Pension issues have also become an increasing part of the partnership process and current developments are underpinned by the most recent partnership agreement, the Programme for Prosperity and Fairness.

Policy Direction

An essential underlying decision on the way forward was whether to have a mandatory or voluntary private pension system. The National Pensions Policy Initiative concluded that the system should continue on a voluntary basis subject to review of progress after an agreed interval. In this context the Initiative also recommended that consideration would be given to mandatory options if progress was not achieved within the target time frame.

As the regime was to continue on a voluntary basis, all legislation and regulation had to take into account this voluntary environment. The guiding principles for legislation have been:

- recognition of the voluntary regime;
- extension of coverage without undermining existing (particularly defined benefit) provision;



- balance between protection/equity and over regulation;
- qualitative not quantitative regulation; and
- focus on mandatory disclosure/consultation.

The three main strands of the National Pensions Policy Initiative recommendations are:

- an increase in the Social Welfare pension in order to avoid poverty and to provide replacement income for the lower paid people in the work force. The recommended target was 34% of average industrial earnings and, whilst no formal Government commitment has been given, the Social Welfare pension has seen substantial increases over recent years and is now at 31% of average industrial earnings;
- partial funding of the Social Welfare pension system in order to cope with the demographic trends faced by the country this century which will see a major change in the ratio of people who are economically active to those who are retired. This recommendation has been implemented by the establishment of the National Pensions Reserve Fund which has now been in existence since 2001; and
- a wide range of changes to the existing private pension regime, including the introduction of a new pensions vehicle called the PRSA, introduction of a Pensions Ombudsman Scheme and a wide variety of amendments to the provisions of the Pensions Act, 1990.

Pensions (Amendment) Act, 2002

The Pensions (Amendment) Act, 2002 was passed on 13th April 2002. The new Act introduces a framework for the PRSA, which is an individual investment account for retirement savings. PRSAs are available to anyone irrespective of employment status and there is a maximum limit on the charges which may be applied to Standard PRSAs. There is also a Default Investment Strategy for PRSAs which will be linked to good practice for investment for retirement. The PRSA framework includes:

- an obligation on an employer to provide "access" to a Standard PRSA if the employer does not operate an occupational pension scheme;
- PRSA taxation provisions which are extremely favourable to contributors, e.g. marginal tax relief on up to 30% of earnings for those aged 40 plus; and
- supervision of PRSAs which involves prudential supervision by existing regulators (currently the Central Bank of Ireland and the Department of Enterprise, Trade and Employment) and products supervision through joint approval by the Board and the Revenue Commissioners.

The statute also introduces a Pensions Ombudsman Scheme. The Ombudsman will have power to investigate and determine a complaint made by somebody who alleges financial loss from maladministration in a pension scheme or PRSA or any dispute of fact or law that arises in relation to a pension scheme or PRSA. Decisions of the Ombudsman will be binding subject to a right of appeal to the High Court. The time limit is the later of:

- six years from the date of the act giving rise to the complaint or dispute; or
- three years from the date on which the person became or ought to have become aware of the act giving rise to the complaint or dispute; or
- such longer period as the Ombudsman may allow.

There is, however, an absolute limit of six years in respect of complaints or disputes in relation to acts occurring prior to the passing of the Act.

The remainder of the Act introduces a substantial number of amendments to the Pensions Act, 1990. The main amendments are:

- improvement in vesting and value of benefits for early leavers by reducing the qualifying period from 5 to 2 years to apply to those leaving after 1 June 2002. Preservation requirements are also extended to include pre-1991 service for members leaving after 1 June 2002 including revaluation requirements;

A New Regime for Irish Pensions

- provision for a minimum value of contributory retirement benefit for members of contributory defined benefit schemes retiring after 1 June 2002;
- implementation of EU Council Directive 98/49/EC (known as the Mobility Directive) the aim of which is to protect the rights of members of pensions who move from one Member State to another;
- improved operation of the Funding Standard which requires pension schemes to have enough assets to meet their liabilities. This includes a mechanism to identify schemes where funding is likely to fall below the Minimum Funding Standard in the 3.5 year interval between Actuarial Funding Certificates and to provide for corrective action in such cases. Additional information from the scheme actuary regarding the funding position of a scheme is also required in the annual report;
- improved remittance of pension contributions by employers by placing a statutory requirement on them to remit pension contributions within 21 days of the end of the month and to give a monthly statement to the employees and the trustees of the amounts deducted and remitted. Trustees must invest these contributions within 10 days of the latest date on which they should have been remitted by the employer;
- provision for mandatory reviews and disclosure procedures in relation to the indexation of pensions in payment by the trustees of the scheme, for the purpose of considering indexed linked increases;
- provision for mandatory disclosure and consultation with members regarding the treatment of surpluses in the case of scheme wind-ups and bulk transfers occurring from 1 June 2002. This protects members' interests in wind up and transfer situations and facilitates consideration of the use of any "surpluses" arising at wind up;
- provision that in the case of multi-employer schemes each section may be treated as a separate scheme for regulation and supervision purposes;



- power for the Minister to make regulations in relation to pension matters covered by the Protection of Employees (Part-Time Work) Act, 2001;
- power for the Minister to make regulations to exempt pension schemes set up for the staff of North/South bodies from the requirements of the Pensions Act as these schemes will be administered in Northern Ireland;
- an increase in the size of the Pensions Board from 14 to 16 people by the addition of a consumer representative and a pensioner representative; and
- provision for a report to be made to the Minister on pension coverage not later than three years after implementation of “mandatory employer access” in respect of PRSAs. This report must be laid before both Houses of the Oireachtas within six months of its completion.

Conclusion

The Pensions Board welcomes the passing of the new pensions legislation. This effectively finalises implementation of the National Pensions Policy Initiative. The Board looks forward to playing its part in implementing the new Irish pensions regime and, in particular, looks forward to its regulatory role for PRSAs. Ireland now has a good structure for private pension provision which enables people to plan for their future retirement provision with confidence. This structure should, of course, continue to be monitored and reviewed so that it meets changing circumstances. It is now up to all involved in pensions to make sure that the new regime works.



FINANCIAL STATEMENTS

for the year ended 31 December 2001

Report of the Comptroller and Auditor General

I have audited the financial statements on pages 40 to 51 under Section 22 of the Pensions Act, 1990.

Respective Responsibilities of the Board and of the Comptroller and Auditor General

The accounting responsibilities of the Board are set out in the Statement of Board Responsibilities on page 39. It is my responsibility, based on my audit, to form an independent opinion on the financial statements presented to me by the Board and to report on them.

Basis of Audit Opinion

In the exercise of my function as Comptroller and Auditor General, I conducted my audit of the financial statements in accordance with auditing standards issued by the Auditing Practices Board and by reference to the special considerations which attach to State bodies in relation to their management and operation.

An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Board's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary to provide me with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement whether caused by fraud or other irregularity or error. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements.

Pension Costs

Without qualifying my report, I draw attention to Note 16 to the financial statements which explains how the Board has dealt with the disclosure requirements of Financial Reporting Standard 17.

Opinion

In my opinion, proper books of account have been kept by the Board and the financial statements, which are in agreement with them, give a true and fair view of the state of affairs of An Bord Pinsean/The Pensions Board at 31 December 2001 and of its income and expenditure and cash flow for the year then ended.



John Purcell
Comptroller and Auditor General

28 June 2002



Statement of Board Responsibilities

Section 22(1) of the Pensions Act, 1990, requires the Board to prepare financial statements in such form as may be approved by the Minister for Social, Community and Family Affairs with the concurrence of the Minister for Finance. In preparing those financial statements, the Board is required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Board will continue in operation;
- disclose and explain any material departures from applicable accounting standards.

The Board is responsible for keeping proper books of account, which disclose with reasonable accuracy at any time the financial position of the Board and which enable it to ensure that the financial statements comply with Section 22(1) of the Pensions Act. The Board is also responsible for safeguarding the assets of the Board and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.



Gráinne Clohessy
Chairperson



Kevin Brabazon
Board member

7 June 2002

Statement of Accounting Policies

The following accounting policies have been applied consistently in dealing with items which are considered material in relation to the financial statements.

A Basis of Preparation of Financial Statements

The financial statements are prepared under the accruals method of accounting and under the historical cost convention in the form approved by the Minister for Social, Community and Family Affairs with the concurrence of the Minister for Finance in accordance with Section 22(1) of the Pensions Act, 1990.

Financial Reporting Standards recommended by the recognised Accountancy Bodies are adopted, as they become operative.

The results are denominated in Euro and Irish Pounds.

B Fee Income

Fee Income represents the amount estimated by the Board as collectable in respect of the year. This estimate takes account of cash receipts on foot of demands issued and the reasonableness of this figure is checked against the expected fee income based on the Board's computerised profile of schemes.

C State Grant

State Grant represents the amount made available in respect of the year by the Department of Social, Community and Family Affairs to:

- i Recoup the cost of superannuation benefits payable by the Board to its retired staff; and
- ii Meet the costs associated with the Board's regulatory role in relation to Personal Retirement Savings Accounts (PRSAs).

D PRSA Capital Reserve

This reserve represents the unamortised amount of State Grant used for the purchase of fixed assets and is amortised in line with the depreciation of the relevant assets acquired.

E Taxation

The Board is exempt from Corporation Tax under Section 220 of the Taxes Consolidation Act 1997.

F Tangible Fixed Assets and Depreciation

Tangible fixed assets are shown at cost less accumulated depreciation. Depreciation is charged in the income and expenditure account, on a straight-line basis, at the annual rates set out opposite, so as to write off the assets, adjusted for estimated residual value, over the expected useful life of each appropriate category.



Statement of Accounting Policies

Leasehold Improvements	
Holbrook House	10%
Verschoyle House	6.67%
Computer equipment	25%
Office furniture	12.5%
Office equipment	20%
Motor vehicle	20%

A full year's depreciation is provided for in the year of acquisition.

G Leases

i Finance Leases

Where an asset is acquired under a finance lease, the capital element is included in tangible fixed assets and the outstanding capital element of the leasing obligation is included in bank and other advances. The interest element is written off over the primary period of the lease.

ii Operating Leases

Rental payments are dealt with in the income and expenditure account in the year to which they relate.

H Superannuation

The Board operates a defined benefit pension scheme and a spouses' and children's contributory scheme. Benefits payable by the Board under these schemes are financed by way of grant from the Exchequer under Section 20 of the Pensions Act, 1990. Contributions in respect of these schemes are paid over to the Department of Social, Community and Family Affairs in the year to which they relate. No provision has been made in the financial statements for future liabilities under the schemes.

I Compliance Enforcement Reserve

As the Pensions Board is a statutory regulatory body charged with monitoring and enforcing compliance by scheme trustees with the provisions of the Pensions Act, 1990, it may be necessary for the Board, from time to time, to have recourse to legal action, in certain cases, in order to carry out its responsibilities in this regard.

Such action would necessarily involve the Board in significant costs.

It is not possible to anticipate when such cases may arise or the resulting level of costs, but the Board considers it prudent to ensure that adequate resources are available and to spread such costs over the years.

Accordingly, an amount of €38,092 (IR£30,000) was transferred from income and expenditure account to a compliance enforcement reserve account each year from 1992 to 1996 inclusive. At the end of 1996 an amount of €190,461 (IR£150,000) had been accumulated in the compliance enforcement reserve account and as this, in the opinion of the Board, represents a reasonable provision, no further transfers will be made for the foreseeable future.

Income and Expenditure Account

FOR THE YEAR ENDED 31 DECEMBER 2001

	Notes	2001 IRE	2001 €	2000 €
Income				
Fee income		1,812,787	2,301,765	2,184,097
State grant:				
Reimbursement of pension payment to retired staff		27,662	35,123	34,448
In respect of PRSA costs	1&15	736,327	934,943	–
Other income	2	109,482	139,013	199,320
Total income		2,686,258	3,410,844	2,417,865
Transfer to PRSA capital reserve	12&15	320,236	406,616	–
		2,366,022	3,004,228	2,417,865
Expenditure				
Salaries, pensions and related expenses	3	902,701	1,146,194	932,722
Board members' fees and expenses		70,974	90,118	21,328
Accommodation and establishment expenses	4	469,608	596,279	187,661
Recruitment, training and education	5	46,587	59,153	40,861
Information, research and publicity		107,719	136,775	155,818
Consultancy and other professional fees	6	577,982	733,886	221,610
General administration	7	151,453	192,306	183,523
Depreciation	8	168,185	213,551	99,216
Write off of assets on relocation		56,923	72,277	–
Total expenditure		2,552,132	3,240,539	1,842,739
(Deficit)/Surplus for the year		(186,110)	(236,311)	575,126
Revenue reserve at 1 January		753,086	956,222	381,096
Revenue reserve at 31 December		566,976	719,911	956,222

The Board has no gains or losses in the financial year or the preceding financial year other than those dealt with in the income and expenditure account.

The results for the year relate to continuing operations.

The statement of accounting policies, cash flow statement and notes 1 to 18 form part of these financial statements.

Gráinne Clohessy

Gráinne Clohessy
Chairperson

Anne Maher

Anne Maher
Chief Executive

7 June 2002

Balance Sheet

AT 31 DECEMBER 2001

	Notes	2001 IRE	2001 IRE	2001 €	2001 €	2000 €	2000 €
Fixed Assets							
Tangible assets	8		1,060,121		1,346,076		172,086
Current Assets							
Debtors	9	589,023		747,905		235,680	
Cash at bank and on hand		310		394		933,313	
		589,333		748,299		1,168,993	
Current liabilities							
Creditors: amounts falling due within one year:							
Other creditors	10	411,429		522,407		194,396	
Bank overdraft		200,813		254,980		–	
		612,242		777,387		194,396	
Net current assets/(liabilities)			(22,909)		(29,088)		974,597
Total assets			1,037,212		1,316,988		1,146,683
Financed by							
Compliance enforcement reserve		150,000		190,461		190,461	
PRSA capital reserve	12&15	320,236		406,616		–	
Revenue reserve		566,976	1,037,212	719,911	1,316,988	956,222	1,146,683

The statement of accounting policies, cash flow statement and notes 1 to 18 form part of these financial statements.

Gráinne Clohessy

Gráinne Clohessy
Chairperson

Anne Maher

Anne Maher
Chief Executive

7 June 2002

Cash Flow Statement

FOR THE YEAR ENDED 31 DECEMBER 2001

	Notes	2001 IRE	2001 IRE	2001 €	2001 €	2000 €	2000 €
Cash Flow Statement							
Net cash inflow from operating activities	13		97,290		123,533		690,035
Returns on investments and servicing of finance							
Interest received		50,547		64,181		17,348	
Interest paid		(8)	50,539	(10)	64,171	–	17,348
Net capital expenditure							
Purchase of tangible fixed assets			(1,083,376)		(1,375,603)		(40,781)
Increase/(decrease) in cash			(935,547)		(1,187,899)		666,602
Reconciliation of net cash flow to movement in net funds							
	14						
Increase/(decrease) in cash in the year			(935,547)		(1,187,899)		666,602
Net funds at 1 January 2001			735,044		933,313		266,711
Net funds at 31 December 2001			(200,503)		(254,586)		933,313

Notes to the Financial Statements

FOR THE YEAR ENDED 31 DECEMBER 2001

1 State Grant

	2001 IR£	2001 €	2000 €
In respect of PRSA costs:			
Non-capital	389,935	495,116	–
Capital	346,392	439,827	–
	736,327	934,943	–

2 Other Income

	2001 IR£	2001 €	2000 €
Publications	31,410	39,883	77,348
Interest income	31,249	39,678	42,078
Financial contribution in respect of policy work*	44,582	56,607	67,139
Surplus on disposal	–	–	4,867
Miscellaneous income	2,241	2,845	7,888
	109,482	139,013	199,320

* Department of Social, Community and Family Affairs.

3 Employee Numbers and Costs

The total staff complement as approved by the Minister at 31 December 2001 was 38.5 permanent (2000: 21 permanent). The average number of employees excluding contract staff in the Board during the year was 23 (2000: 19). The aggregate employee and related costs were as follows:

	2001 IR£	2001 €	2000 €
Salaries	658,080	835,590	649,167
Employer superannuation contributions*	95,416	121,154	102,836
Employer PRSI contributions	45,263	57,472	44,918
Superannuation benefits payable	27,662	35,123	34,448
Contract staff:			
National Pensions Policy Initiative implementation	44,582	56,607	67,139
General	31,698	40,248	34,214
	902,701	1,146,194	932,722

* See note 11 (iv).

Notes to the Financial Statements

FOR THE YEAR ENDED 31 DECEMBER 2001

4 Accommodation and Establishment Expenses

	2001 IRE	2001 €	2000 €
Rent	270,863	343,925	98,430
Service charge	45,126	57,298	31,088
Rates	32,236	40,931	17,246
Electricity	8,088	10,270	7,669
Moving costs	87,238	110,769	–
Cleaning	5,831	7,404	9,230
Offsite storage	11,892	15,100	11,812
Office refurbishment costs	–	–	4,902
General maintenance	8,334	10,582	7,284
	469,608	596,279	187,661

The Board terminated its leasehold interest in office space in Holbrook House, Holles Street, Dublin 2 with effect from 12 November 2001. A new leasehold interest for 25 years was acquired in 10,602 square feet of office space in Verschoyle House, Lower Mount Street from 16 July 2001.

5 Recruitment, Training and Education

	2001 IRE	2001 €	2000 €
Recruitment and staff costs	12,688	16,110	10,243
Training and education	33,899	43,043	30,618
	46,587	59,153	40,861

6 Consultancy and Other Professional Fees

	2001 IRE	2001 €	2000 €
Legal fees	67,106	85,207	71,093
Property & associated consultancy fees*	164,564	208,954	–
Development of PRSA processes and procedures	144,912	184,000	–
Pensions/actuarial consultancy fees	35,994	45,703	49,248
Public relations and information	32,347	41,072	42,996
Recruitment consultancy	97,469	123,760	19,686
Customer service survey consultancy	–	–	16,593
Audit fees	7,679	9,750	10,031
Other	27,911	35,440	11,963
	577,982	733,886	221,610

* Consultancy associated with the acquisition and fitting out of Verschoyle House.

Notes to the Financial Statements

FOR THE YEAR ENDED 31 DECEMBER 2001

7 General Administration

	2001 IR£	2001 €	2000 €
Stationery and office expenses	44,893	57,002	55,954
Telephone and postage	36,538	46,394	49,431
Travel and subsistence	18,519	23,514	23,604
Insurances	5,456	6,928	4,435
Computer maintenance and consumables	45,343	57,573	49,385
Interest and charges	704	895	714
	151,453	192,306	183,523

8 Tangible Fixed Assets

	Leasehold Improvements Holbrook IR£	Leasehold Improvements Verschoyle IR£	Computer equipment IR£	Office furniture IR£	Office equipment IR£	Motor vehicle IR£	Total IR£	Total €
Cost or Valuation								
At 1 January 2001	116,617	–	252,359	73,032	63,786	24,536	530,330	673,380
Additions in year	–	867,665*	130,386	120,351	31,301	–	1,149,703	1,459,822
Disposals in year	(116,617)	–	(122,158)	(73,032)	(19,494)	–	(331,301)	(420,666)
At 31 December 2001	–	867,665	260,587	120,351	75,593	24,536	1,348,732	1,712,536
Accumulated Depreciation								
At 1 January 2001	73,078	–	211,354	49,534	36,299	24,536	394,801	501,294
Charge for year	7,491	57,845	67,161	20,801	14,887	–	168,185	213,551
Disposals in year	(80,569)	–	(119,575)	(55,289)	(18,942)	–	(274,375)	(348,385)
At 31 December 2001	–	57,845	158,940	15,046	32,244	24,536	288,611	366,460
Net Book Value								
At 31 December 2000	43,539	–	41,005	23,498	27,487	–	135,529	172,086
At 31 December 2001	–	809,820	101,647	105,305	43,349	–	1,060,121	1,346,076

* Includes VAT on acquisition of lease of IR£562,500 (€714,228).

Notes to the Financial Statements

FOR THE YEAR ENDED 31 DECEMBER 2001

9 Debtors

	2001 IRE	2001 €	2000 €
Amounts falling due within one year			
Fee income	160,000	203,158	162,527
Prepayments and accrued income	47,332	60,100	48,095
State grant debtor	381,254	484,092	–
Accrued interest receivable	437	555	25,058
	589,023	747,905	235,680

10 Creditors

	2001 IRE	2001 €	2000 €
Amounts falling due within one year			
Creditors	53,701	68,186	119,112
Accruals	357,728	454,221	75,284
	411,429	522,407	194,396

11 Financial Commitments

i Capital Commitments

There were no capital commitments at 31 December 2001.

ii Finance Leases

There were no commitments existing at the balance sheet date in respect of finance leases which had been entered into but which commenced after the year end.

Notes to the Financial Statements

FOR THE YEAR ENDED 31 DECEMBER 2001

iii Operating Leases

The Board had commitments payable in the next twelve months under non-cancellable operating leases as follows:

	2001 IR£	2001 €	2000 €
Lease of office accommodation			
Expiring within one year	–	–	–
Expiring after one year and before five years	–	–	–
Expiring after five years	436,580	554,342	83,607
	436,580	554,342	83,607

iv Superannuation

The Pensions Board Staff Superannuation Scheme, 1993 and the Pensions Board Spouses' and Children's Contributory Pension Scheme, 1993 have been established, to take effect from 1 January 1991, in accordance with Section 17 of the Pensions Act, 1990.

Contributions in respect of these schemes are paid over to the Department of Social, Community and Family Affairs on the basis that benefits arising under the schemes will be met by that Department as and when they fall due.

12 PRSA Capital Reserve

	2001 IR£	2001 IR£	2001 €	2001 €	2000 €	2000 €
At beginning of year		–		–		–
Transfer from Income and Expenditure Account						
Grant	346,392		439,827		–	
Amortisation	(26,156)	320,236	(33,211)	406,616	–	–
At end of year		320,236		406,616		–

Notes to the Financial Statements

FOR THE YEAR ENDED 31 DECEMBER 2001

13 Reconciliation of (Deficit)/Surplus for the Year to Net Cash from Operating Activities

	2001 IR£	2001 €	2000 €
(Deficit)/surplus for year	(186,110)	(236,311)	575,126
Non Operating Items			
Interest received	(50,547)	(64,181)	(17,348)
Interest paid	8	10	–
Non Cash Items			
Transfer to PRSA capital reserve	320,236	406,616	–
Surplus on disposal	–	–	(4,867)
Write off of assets on relocation	56,923	72,277	–
Depreciation	168,185	213,551	99,216
(Increase)/decrease in debtors	(403,408)	(512,223)	78,919
(Decrease)/increase in creditors (other than capital creditors)	192,003	243,794	(41,011)
Net cash inflow from operating activities	97,290	123,533	690,035

14 Analysis of Changes in Net Funds

	Cash at bank and in hand IR£	Bank Overdraft IR£	Total IR£	Total €
At beginning of year	735,044	–	735,044	933,313
Cash flows	(734,734)	(200,813)	(935,547)	(1,187,899)
At end of year	310	(200,813)	(200,503)	(254,586)

15 Contingent Liability

The State Grant in respect of PRSA costs may become repayable in future years should fees received by the Board from PRSA providers exceed related costs. State Grants receivable in respect of the year total €934,943 (IR£736,327).

16 Accounting Treatment for Retirement Benefits

The Board operates a defined benefit pension scheme for its employees. The scheme structure is based on the Public Service Model and is approved by the Minister and the Minister for Finance. Pensions currently payable are funded by the Exchequer. The Board has an undertaking from the Department of Social, Community and Family Affairs with the approval of the Department of Finance that all future pensions payable are funded by way of grant to the Board under Section 20 of the Pensions Act, 1990. Contributions are paid over to the Department of Social, Community and Family Affairs including employer contributions at a rate of 16.66% of pensionable pay. The pensions paid by the Board and the recoupment are stated separately in the Income and Expenditure Account.



Notes to the Financial Statements

FOR THE YEAR ENDED 31 DECEMBER 2001

For accounting periods ending on or after 22 June 2003, Financial Reporting Standard 17 will require financial statements to reflect at fair value the assets and liabilities arising from an employer's defined benefit superannuation obligations and any related funding and to recognise the costs of providing superannuation benefits in the accounting periods in which they are earned by employees. As a transitional measure the Standard requires that the present value of those scheme liabilities be disclosed in the notes to the 2001 financial statements. In certain circumstances FRS17 permits defined benefit schemes to be accounted for as if they were defined contribution schemes with no requirement to account for the fair value of the assets and liabilities of the scheme or, in the transitional period, to disclose the scheme liabilities.

The Board considers that its pension arrangements as described above have the same financial effect from its point of view as a defined contribution scheme. It is of the view that the provisions of the Standard in relation to accounting for pension liabilities which arise under defined benefit scheme may not be appropriate to its circumstances.

Pending further consideration of the matter and further clarification of the terms and effect of its pension arrangements, it has prepared these financial statements on the same basis as in the past.

17 Board Members – Disclosure of Transactions

The Board adopted procedures in accordance with the guidelines issued by the Department of Finance in relation to the disclosure of interests by Board members and these procedures have been adhered to by the Board during the year. The Board from time to time engages the services of appropriately qualified outside consultants to undertake assignments to assist the Board in its work. Such contractual arrangements are subject to the normal tendering procedures, which apply throughout the public service. The award of any particular project is a matter for decision by the Board having regard to the requirements of the work to be carried out. Given the nature of its business the Board may enter into contractual arrangements with undertakings in which Board members are employed or are otherwise interested.

During 2001 the Board incurred fees payable to third parties, including legal fees, in respect of professional services in the amount of €733,886 (IRE577,982) inclusive of VAT. This amount includes €30,965 (IRE24,387) which was paid to Matheson Ormsby Prentice a law firm of which a Board member, Mr. Brian Buggy is a partner. The amount covers two assignments. It also includes an amount of €16,740 (IRE13,184) paid to Ernst & Young, a firm of which a Board member, Mr. John Byrne, was an employee up until May 2001. The amount covers two assignments.

18 Approval of Financial Statements

The financial statements were approved by the Board on 7 June 2002.

Prompt Payment of Accounts Act, 1997

The Pensions Board comes under the remit of the Prompt Payment of Accounts Act, 1997 which came into effect on 2 January 1998.

In accordance with the requirements as set out in Section 12 of the Act, we wish to report as follows:

- The Pensions Board confirms that it is complying with the Prompt Payment of Accounts Act, 1997 which came into effect on 2 January 1998.
- It is the policy of the Pensions Board to ensure that all invoices are paid promptly. Almost all invoices are paid within 30 working days of their receipt. In the event of a written contract, invoices are paid in line with the terms of the contract.
- In addition, the Board has, put in place a computerised system designed to assure itself on a look-back basis that there has been compliance with the payment provisions of the Act.
- In the event of a dispute between the Board and a supplier, there is a procedure in place whereby contact between the Board and supplier, concerning the dispute, is recorded. The procedure referred to can only provide reasonable and not absolute assurance against material non-compliance with the Act.
- No late payments arose during 2001 and accordingly no penalty interest payments were paid in the year.
- In conclusion, I am satisfied that the action the Pensions Board is taking in dealing with the Prompt Payment of Accounts Act, 1997 is in compliance with the Act.



Anne Maher
Chief Executive
7 June 2002

Report of the Comptroller and Auditor General pursuant to Section 13 of the Prompt Payment of Accounts Act, 1997

Responsibilities of the Board and the Comptroller and Auditor General

The Board is obliged to comply with the Act, and, in particular, is required to:

- pay its suppliers by the appropriate payment date;
- if payment to a supplier is late, include the appropriate penalty interest with the payment together with the information required by Section 6;
- disclose its payment practices in the period in the appropriate way.

Under Section 13 of the Act, it is my responsibility, as auditor of An Bord Pinsean – The Pensions Board to report on whether, in all material respects, the Board has complied with the provisions of the Act.

Basis of Opinion

My examination included a review of the payment systems and procedures in place and checking, on a test basis, evidence relating to the operation of the Act by the Board during the year.

I obtained all the information and explanations which I considered necessary for the exercise of my function under Section 13 of the Act.

Opinion

As a result of my examination, it is my opinion that the Board complied in all material respects with the provisions of the Act during the year ended 31 December 2001.



John Purcell
Comptroller and Auditor General
28 June 2002



Appendix I – Legislation

The Pensions Act, 1990, was enacted on 24 July 1990. Since then, it has been amended and a significant number of Regulations have been made under the Act, by way of Statutory Instruments.

The following is a list of relevant legislation to date.

Acts

Pensions Act, 1990	No. 25 of 1990
Social Welfare Act, 1991	No. 7 of 1991
Social Welfare Act, 1992	No. 5 of 1992
Social Welfare Act, 1993	No. 5 of 1993
Social Welfare (No. 2) Act, 1993	No. 32 of 1993
Pensions (Amendment) Act, 1996	No. 18 of 1996
Social Welfare Act, 1997	No. 10 of 1997
Social Welfare Act, 1998	No. 6 of 1998
Social Welfare Act, 1999	No. 3 of 1999
Social Welfare Act, 2000	No. 4 of 2000

Statutory Instruments

Pensions Act, 1990 (Sections 60 and 61) (Commencement) Order, 1990	S.I. No. 329 of 1990
Pensions Act, 1990 (Parts III, IV and V) (Commencement) Order, 1990	S.I. No. 330 of 1990
Pensions Act, 1990 (Parts I and II) (Commencement) Order, 1990	S.I. No. 331 of 1990
Occupational Pension Schemes (Disclosure of Information) Regulations, 1990	S.I. No. 332 of 1990 ^{*1}
Pensions Act, 1990 (Part II) (Establishment Day) Order, 1990	S.I. No. 343 of 1990
Occupational Pension Schemes (Disclosure of Information) Regulations, 1991	S.I. No. 215 of 1991 ^{*6}
Pensions Act, 1990 (Sections 59, 63 and 64) (Commencement) Order, 1991	S.I. No. 259 of 1991
Occupational Pension Schemes (Registration) Regulations, 1991	S.I. No. 325 of 1991

Appendix I – Legislation

Occupational Pension Schemes (Funding Standard) Regulations, 1991	S.I. No. 371 of 1991 ^{*2}
Occupational Pension Schemes (Fees) Regulations, 1991	S.I. No. 372 of 1991
Occupational Benefit Schemes (Equal Treatment) Regulations, 1992	S.I. No. 365 of 1992
Pensions Act, 1990 (Part VII) (Commencement) Order, 1992	S.I. No. 366 of 1992
Occupational Pension Schemes (Fees) (Amendment) Regulations, 1992	S.I. No. 367 of 1992 ^{*5}
Occupational Pension Schemes (Preservation of Benefits) Regulations, 1992	S.I. No. 445 of 1992
Occupational Pension Schemes (Member Participation in the Selection of Persons for Appointment as Trustees) Regulations, 1993	S.I. No. 216 of 1993 ^{*3}
Occupational Pension Schemes (Preservation of Benefits) (Special Calculations) Regulations, 1993	S.I. No. 217 of 1993
Occupational Pension Schemes (Member Participation in the Selection of Persons for Appointment as Trustees) (No. 2) Regulations, 1993	S.I. No. 399 of 1993 ^{*4}
Occupational Pension Schemes (Funding Standard) Regulations, 1993	S.I. No. 419 of 1993
Occupational Pension Schemes (External Schemes) (United Kingdom) Regulations, 1994	S.I. No. 238 of 1994 ^{*10}
Occupational Pension Schemes (Funding Standard) (Amendment) Regulations, 1995	S.I. No. 273 of 1995 ^{*7}
Occupational Pension Schemes (Member Participation in the Selection of Persons for Appointment as Trustees) (No. 3) Regulations, 1996	S.I. No. 376 of 1996
Occupational Pension Schemes (Oral Hearing) Regulations, 1997	S.I. No. 77 of 1997
Occupational Pension Schemes (Revaluation) Regulations, 1997	S.I. No. 76 of 1997
Pension Schemes (Family Law) Regulations, 1997	S.I. No. 107 of 1997
European Communities (Occupational Benefit Schemes) Regulations, 1997	S.I. No. 286 of 1997
Occupational Pension Schemes (Fees) (Amendment) Regulations, 1997	S.I. No. 488 of 1997
Occupational Pension Schemes (Revaluation) Regulations, 1998	S.I. No. 35 of 1998
Occupational Pension Schemes (Disclosure of Information) Regulations, 1998	S.I. No. 112 of 1998



Appendix I – Legislation

Occupational Pension Schemes (Funding Standard) (Amendment) Regulations, 1998	S.I. No. 320 of 1998 ^{*8}
Occupational Pension Schemes (Disclosure of Information) (No. 2) Regulations, 1998	S.I. No. 349 of 1998
Occupational Pension Schemes (Funding Standard) (Amendment) (No. 2) Regulations, 1998	S.I. No. 568 of 1998
Occupational Pension Schemes (Revaluation) Regulations, 1999	S.I. No. 5 of 1999
Occupational Pension Schemes (Funding Standard) (Amendment) Regulations, 1999	S.I. No. 298 of 1999 ^{*9}
Occupational Pension Schemes (Revaluation) Regulations, 2000	S.I. No. 13 of 2000
Occupational Pension Schemes (Preservation of Benefits) (Amendment) Regulations, 2000	S.I. No. 262 of 2000
Occupational Pension Schemes (Disclosure of Information) (Amendment) Regulations, 2000	S.I. No. 296 of 2000
Occupational Pension Schemes (Funding Standard) (Amendment) Regulations, 2000	S.I. No. 337 of 2000
Occupational Pension Schemes (External Schemes) (United Kingdom) Regulations, 2000	S.I. No. 469 of 2000
Occupational Pension Schemes (Schemes with External Members) (United Kingdom) Regulations, 2000	S.I. No. 470 of 2000
Occupational Pension Schemes (Revaluation) Regulations, 2001	S.I. No. 23 of 2001
Occupational Pension Schemes (Schemes with External Members) (United Kingdom) (Amendment) Regulations, 2001	S.I. No. 329 of 2001

^{*1} Revoked from 1 August 1991

^{*3} Revoked from 21 December 1993

^{*5} Revoked from 31 December 1997

^{*7} Revoked from 2 September 1998

^{*9} Revoked from 28 September 2000

^{*2} Revoked from 31 December 1993

^{*4} Revoked from 20 November 1996

^{*6} Revoked from 31 March 1998

^{*8} Revoked from 27 September 1999

^{*10} Revoked from 31 December 2000

Copies of the Acts and Regulations may be bought through any bookseller, or directly from the Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2.

Appendix II – Operative Dates of Parts of the Pensions Act, 1990

The Pensions Act, 1990, as amended, has a total of 103 Sections in nine Parts. The following list shows the operative dates for the main provisions.

		Operative Date
<i>Part I</i>	Preliminary and General	21 December 1990
<i>Part II</i>	Establishment of Pensions Board	21 December 1990
<i>Part III</i>	Preservation of Benefits	1 January 1991
<i>Part IV</i>	Funding Standard	1 January 1991
<i>Part V</i>	Disclosure of Information in Relation to Schemes	1 January 1991
<i>Part VI</i>	Trustees of Schemes	
	Section 59	1 November 1991
	Section 59C	29 March 2000
	Sections 60 and 61	1 January 1991
	Section 62	21 December 1993
	Sections 63 and 64	1 November 1991
<i>Part VII</i>	Equal Treatment for Men and Women in Occupational Benefit Schemes	1 January 1993
<i>Part VIII</i>	Compulsory and Voluntary Reporting to the Board	2 July 1996
<i>Part IX</i>	Miscellaneous Applications to the High Court	2 July 1996



Appendix III – Publications

The following publications are available from

The Pensions Board,
Verschoyle House,
28/30 Lower Mount Street,
Dublin 2.

Telephone: (01) 613 1900

Fax: (01) 631 8602

Email: info@pensionsboard.ie

Web: <http://www.pensionsboard.ie>

So You're a Pension Scheme Trustee?

A brief guide to the duties and responsibilities of trustees of occupational pension schemes.

Is My Pension Secure?*

A guide to the protections provided by the Pensions Act.

What Do You Know About Your Pension Scheme?

An overview of the information which trustees of occupational pension schemes must give.

What Happens to My Pension if I Leave?

A guide to the preservation and transfer of benefits for early leavers under the Pensions Act.

Selecting Member Trustees

A guide to the participation by members in the selection of the trustees of occupational pension schemes.

The Pensions Board*

An introduction to the Board, its functions and its membership.

What Happens When Your Pension Scheme is Wound Up or a Merger/Acquisition Takes Place?

A guide to trustees and pension scheme members on the winding up of a pension scheme and on the effects of mergers/acquisitions on pension schemes.

A Brief Guide to Pensions

A guide to help pension scheme members understand their pension scheme and its benefits.

[A Guide to Your Scheme's Annual Report](#)

A guide to pension scheme members to assist them in reading and understanding their scheme's annual report.

[Pension Provisions of the Family Law, Acts](#)

Guidance on the pension provisions of the Family Law Act, 1995 and the Family Law (Divorce) Act, 1996.

[Securing Retirement Income – National Pensions Policy Initiative](#)

A brief guide to the Report of the Pensions Board.

[A Brief Guide to Annuities](#)

A guide to annuities and how they work.

[A Brief Guide to Integration](#)

Guidance on the integration of occupational pension scheme benefits with the benefits payable under the social welfare system.

[Women & Pensions](#)

A guide on pension provisions for women.

[The Euro and Your Pension Scheme](#)

Information for Pensioners.

Information for Members in Employment.

Information for Trustees.

[Legislation Service**](#)

Subscribers to this service receive in a single folder the consolidated texts of the Pensions Act and the Act's Regulations, including all amendments made to date. They also receive updates whenever further amendments to the Act or its Regulations are made.

[Guidance Notes**](#)

A series of technical guidance notes on the Pensions Act and its Regulations, designed mainly for pension practitioners, have been prepared by the Board. Notes on the requirements in relation to Disclosure of Information, Member Participation in the Selection of Trustees, Equal Treatment, Preservation of Benefits, Compulsory and Voluntary Reporting to The Pensions Board, Pension Provisions of the Family Law Act, 1995 and Family Law (Divorce) Act, 1996, Determinations by The Pensions Board and Appointment and Removal of Trustees by The Pensions Board are now available.

** Available in Irish also.*

*** Available by subscription only.*



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