



STATUTORY INSTRUMENTS.

S.I. No. 86 of 2023

EUROPEAN UNION (SUSTAINABILITY-RELATED DISCLOSURES IN
THE FINANCIAL SERVICES SECTOR) (OCCUPATIONAL PENSION
SCHEMES) REGULATIONS 2023

EUROPEAN UNION (SUSTAINABILITY-RELATED DISCLOSURES IN THE FINANCIAL SERVICES SECTOR) (OCCUPATIONAL PENSION SCHEMES) REGULATIONS 2023

I, HEATHER HUMPHREYS, Minister for Social Protection, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving full effect to Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019¹, as amended by Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020², hereby make the following regulations:

1. These Regulations may be cited as the European Union (Sustainability-Related Disclosures in the Financial Services Sector) (Occupational Pension Schemes) Regulations 2023.

2. The Pensions Act 1990 (No. 25 of 1990) is amended –
 - (a) in section 2(1), by the insertion of the following definition:

“‘SFD Regulation’ means Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019¹ on sustainability-related disclosures in the financial services sector as amended by Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020²;”;
 - (b) in section 3A(1A), in paragraph (a), by the insertion of “or (1F)” after “59(1)(ca)”,
 - (c) in section 10(1), by the insertion of the following paragraph after paragraph (fc):

“(fd) to monitor compliance by the trustees of schemes and trust RACs with the SFD Regulation;”,
 - (d) in section 54, by the insertion of the following subsection after subsection (1):

“(1A) The trustees of a scheme or trust RAC shall, further to a request made by the Pensions Authority, furnish it, by a date specified in the request, with such information as the Authority may require in relation to compliance with section 59(1F).”, and
 - (e) in section 59, by the insertion of the following subsection after subsection (1E):

“(1F) The trustees of a scheme or trust RAC shall, further to a request made by the Pensions Authority, furnish it, by a date specified in the request, with such information as the Authority may require in relation to compliance with section 59(1G).”, and

¹ OJ L 317, 9.12.2019, p. 1

² OJ L 198, 22.6.2020, p. 13

“(1F) The trustees of a scheme or trust RAC shall comply with the following articles of the SFD Regulation:

- (a) article 3(1);
- (b) article 4(1), (2), (3), (4);
- (c) article 5;
- (d) article 6(1), (3);
- (e) article 7;
- (f) article 8(1), (2), (2a);
- (g) article 9(1), (2), (3), (4), (4a);
- (h) article 10(1);
- (i) article 11(1), (2);
- (j) article 12(1);
- (k) article 13(1);
- (l) article 15(1).”.

GIVEN under my Official Seal,
23 February, 2023.

HEATHER HUMPHREYS,
Minister for Social Protection.



L.S.

The official seal of Heather Humphreys, Minister for Social Protection, is a circular emblem. It features a stylized profile of a person's head facing left, with the letters "L.S." inscribed at the bottom of the circle.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations amend the Pensions Act 1990 to provide that the Pension Authority's existing powers of supervision and enforcement are extended to the provisions of Regulation (EU) 2019/2088.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Tel: 046 942 3100
r-phost: publications@opw.ie

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie

ISBN 978-1-3993-2235-5



€ 3.00

9 781399 322355