PENSION SCHEMES ACT (NORTHERN IRELAND) 2016

EXPLANATORY NOTES

INTRODUCTION

BACKGROUND AND POLICY OBJECTIVES

OVERVIEW

COMMENTARY ON SECTIONS

PART 1 – CATEGORIES OF PENSION SCHEME

- Section 1: Introduction
- Section 2: Defined benefits scheme
- Section 3: Shared risk scheme (sometimes known as "defined ambition")
- Section 4: Defined contributions scheme
- Section 5: Meaning of "pensions promise" etc
- Section 6: Treatment of a scheme as two or more separate schemes
- Section 7: Interpretation of Part 1

PART 2 – COLLECTIVE BENEFITS

- Section 8: Introduction and definition
- Section 9: Duty to set targets for collective benefits
- Section 10: Policy about factors used to determine each benefit
- Section 11: Power to impose requirements about factors used to determine each benefit
- Section 12: Payment Schedule

- Section 13: Overdue contributions and other payments
- Section 14: Statement of investment strategy
- Section 15: Investment performance reports
- Section 16: Investment powers
- Section 17: Restriction on borrowing by trustees or managers
- Section 18: Investment powers: duty of care
- Section 19: Valuation reports
- Section 20: Valuation process
- Section 21: Policy for dealing with a deficit or surplus
- Section 22: Power to impose requirements about dealing with a deficit or surplus
- Section 23: Deficits attributable to an offence or the imposition of a levy
- Section 24: Payment of amounts out of collective benefit funds
- Section 25: Policy for calculating cash equivalent of benefits
- Section 26: Winding up
- Section 27: Requirement to wind up scheme in specified circumstances
- Section 28: Policies about winding up
- Section 29: Working out which assets are available for the provision of which benefits
- Section 30: Requirement to obtain actuarial advice
- Section 31: Sub-delegation
- Section 32: Publication of documents etc
- Section 33: Enforcement
- Section 34: Overriding requirements
- Section 35: Interpretation of Part 2

PART 3 – GENERAL CHANGES TO LEGISLATION ABOUT PENSION SCHEMES

- Section 36: Pensions promise obtained from third party
- Section 37: Duty to act in the best interest of members
- Section 38: Disclosure of information about schemes
- Section 39: Extension of preservation of benefit under occupational pension schemes
- Section 40: Revaluation of accrued benefits
- Schedule 1: Early leavers: revaluation of accrued benefits
- Section 41: Collective benefits exempt from indexation
- Section 42: Regulatory own fund schemes exempt from indexation
- Section 43: Power to create other exemptions from indexation
- Section 44: Removal of requirement to maintain a register of independent trustees
- Section 45: Rules about modification of schemes
- Section 46: Pension sharing and normal benefit age
- Section 47: Other amendments to do with Parts 1 and 2
- Schedule 2: Other amendments to do with Parts 1 and 2
 - Pension Schemes (Northern Ireland) Act 1993
 - Pensions (Northern Ireland) Order 1995
 - Welfare Reform and Pensions (Northern Ireland) Order 1999
 - Pensions (Northern Ireland) Order 2005
 - Pensions (No. 2) Act (Northern Ireland) 2008

PART 4 - GENERAL

- Section 48: Power to make consequential amendments
- Section 49: Regulations
- Section 50: Crown application

These notes refer to the Pension Schemes Act (Northern Ireland) 2016 (c.1)

Section 51: Interpretation

Section 52: Commencement

Section 53: Short title

HANSARD REPORTS