



2021 CHAPTER 6

PART 3

General

Regulations: general provisions

- 42.—**(1) Regulations under Part 1 may—
- (a) include incidental, supplementary, consequential, transitional, transitory or saving provision;
 - (b) confer a discretion on a person.
- (2) Regulations under Part 1 which are subject to the confirmatory procedure—
- (a) must be laid before the Assembly after being made; and
 - (b) take effect on such date as may be specified in the regulations, but (without prejudice to the validity of anything done thereunder or to the making of new regulations) cease to have effect upon the expiration of a period of six months from that date unless at some time before the expiration of that period the regulations are approved by resolution of the Assembly.
- (3) This subsection applies to any regulations made by the Department under this Act which—
- (a) but for subsection (4), would be subject to negative resolution, and
 - (b) are contained in a statutory rule which includes any regulations subject to the confirmatory procedure.
- (4) Any regulations to which subsection (3) applies shall not be subject to negative resolution, but shall be subject to the confirmatory procedure.

General interpretation

43.—(1) In this Act—

“the 1995 Order” means the Pensions (Northern Ireland) Order 1995;

“the 2005 Order” means the Pensions (Northern Ireland) Order 2005;

“the Department” means the Department for Communities;

“the Pension Schemes Act” means the Pension Schemes (Northern Ireland) Act 1993;

“the Pensions (No. 2) Act” means the Pensions (No. 2) Act (Northern Ireland) 2008;

“statutory provision” has the meaning given in section 1(f) of the Interpretation Act (Northern Ireland) 1954.

(2) In the application, for the purposes of this Act, of—

- (a) section 24(1) of the Interpretation Act (Northern Ireland) 1954 (service of documents by post), omit the word “registering”;
- (b) section 39(2) of that Act (time beginning on a particular day), omit the word “not”.

Commencement

44.—(1) The following provisions come into operation on the day after this Act is passed—

- (a) the following provisions as they apply to existing Master Trust schemes within the meaning of Schedule 2—
 - (i) sections 1 and 2 (definition of a Master Trust scheme);
 - (ii) section 6(2) (referral to Tribunal of refusal to grant authorisation);
 - (iii) sections 17 and 18 (penalty notices);
 - (iv) sections 20 to 22, 25 and 33, as modified by Schedule 2 (triggering events: notification requirements and prohibition on increasing charges);
 - (v) paragraphs 5 and 9 of Schedule 3 (power of Regulator to request information), and section 38 as it applies to those paragraphs;
 - (vi) section 39 (interpretation of Part 1);
- (b) paragraphs 1 to 7 of Schedule 2, and section 37 as it applies to those paragraphs (Master Trusts operating before commencement: transitional provisions);
- (c) paragraphs 1 to 6 of Schedule 3, and section 38 as it applies to those paragraphs (amendments to definitions of “scheme rules”);
- (d) section 41 (power to override contract terms);

(e) this Part.

(2) To the extent not already commenced by subsection (1), Part 1 comes into operation on such day or days as the Department may by order appoint.

(3) The Department may by order make incidental, supplementary, transitional, transitory and saving provision in connection with the coming into operation of any provision of this Act.

Short title

45. This Act may be cited as the Pension Schemes Act (Northern Ireland) 2021.