

*Status: Point in time view as at 26/09/2023.*

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## 2015 CHAPTER 5

### **PART 7**

#### FINAL PROVISIONS

##### **Power to make consequential amendments etc.**

**50.**—(1) The Department or the Department of Finance and Personnel may by order make consequential, incidental or supplementary provision in connection with any provision made by this Act.

(2) An order under this section may amend, repeal, revoke or otherwise modify any statutory provision (whenever passed or made).

##### **Regulations and orders**

**51.**—(1) Subject to the following provisions of this section, any orders or regulations made by the Department or the Department of Finance and Personnel under this Act are subject to negative resolution.

(2) Subsection (1) does not apply to an order under section 53(1) or (5).

(3) Orders or regulations (whether alone or with other provisions) to which this subsection applies—

- (a) must be laid before the Assembly after being made; and
- (b) take effect on such date as may be specified in the order or regulations, but (without prejudice to the validity of anything done thereunder or to the making of a new order or 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 order or regulations are approved by a resolution of the Assembly.

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(4) Subsection (3) applies to—

- (a) regulations under section 3, 17, 18(3) or (5), 19, 20, 29, 31 or 33,
- (b) the first regulations under section 10,
- (c) an order under section 50 that amends or repeals any relevant statutory provision,
- (d) regulations under Schedule 17,
- (e) regulations under paragraph 2 of Schedule 18 or regulations under paragraph 7 of that Schedule that amend any relevant statutory provision,<sup>F1</sup>  
...
- (f) the first regulations under paragraph 1 or 3 of that Schedule<sup>F2</sup>, or
- (g) the first regulations under paragraph 1 or 3 of that Schedule that make provision in relation to collective money purchase schemes within the meaning of Part 2 of the Pension Schemes Act 2021 (see section 52 of that Act).]

(5) In this section “relevant statutory provision” means a statutory provision contained in—

- (a) an Act of the Parliament of Northern Ireland;
- (b) an Order in Council under Schedule 1 to the Northern Ireland Act 1974 or the Schedule to the Northern Ireland Act 2000;
- (c) an Act of the Assembly; or
- (d) an Act of the Parliament of the United Kingdom.

(6) Regulations or orders under this Act may include incidental, supplementary, consequential, transitional, transitory or saving provision.

#### Textual Amendments

- F1** Word in s. 51(4) omitted (11.2.2021 for specified purposes, 29.4.2022 in so far as not already in operation) by virtue of Pension Schemes Act 2021 (c. 1), s. 131(1)(3)(a), Sch. 6 para. 24; S.R. 2022/173, art. 2(c)
- F2** S. 51(4)(g) and word inserted (11.2.2021 for specified purposes, 29.4.2022 in so far as not already in operation) by Pension Schemes Act 2021 (c. 1), s. 131(1)(3)(a), Sch. 6 para. 24; S.R. 2022/173, art. 2(c)

#### Interpretation

**52.—(1)** In this Act—

- “the 1995 Order” means the Pensions (Northern Ireland) Order 1995;
- “the 2005 Order” means the Pensions (Northern Ireland) Order 2005;

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“the Administration Act” means the Social Security Administration (Northern Ireland) Act 1992;

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992;

“the Department” means the Department for Social Development;

“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 assigned to it by 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**

**53.**—(1) Subject to the following provisions of this section, this Act comes into operation on such day or days as the Department may by order appoint.

(2) The following come into operation on the day after this Act receives Royal Assent—

- (a) Part 3;
- (b) section 28;
- (c) sections 33 and 34;
- (d) section 40;
- (e) section 46;
- (f) section 49; and
- (g) this Part.

(3) Part 1 comes into operation on 6 April 2016, so far as not brought into operation earlier by an order under subsection (1).

(4) The Department may by order—

- (a) amend subsection (3) so as to replace the reference to 6 April 2016 with a later date, and
- (b) make corresponding amendments in Part 1 or any statutory provision amended by it.

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

**Short title**

**54** This Act may be cited as the Pensions Act (Northern Ireland) 2015.

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