
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations concern the inalienability and forfeiture provisions in respect of occupational pension schemes under the Pensions (Northern Ireland) Order 1995 (“the Order”).

Regulation 1 deals with the citation, commencement and interpretation of the Regulations.

Regulation 2 prescribes the circumstances where an occupational pension may be commuted.

Regulation 3 prescribes the type of transfer credits which may be included in a charge or lien on, or set-off in respect of, a monetary obligation due to an employer.

Regulation 4 prescribes, for the purposes of Article 89(5)(e) of the Order, the circumstances where a pension may not be charged or a lien or set-off exercised in respect of it, for the purpose of discharging some monetary obligation to the scheme.

Regulation 5 prescribes the class of persons to whom a forfeited pension may be paid.

Regulation 6 prescribes the circumstances in which a pension under an occupational pension scheme can be forfeited.

Regulation 7 modifies Article 89(5)(d) of the Order (charge or lien on, or set-off against, entitlement in respect of a monetary obligation due to the employer) in respect of public service pension schemes and the Armed Forces Pension Scheme.

Regulation 8 provides for certain schemes to be exempt from the inalienability and forfeiture provisions.

The Pensions (1995 Order) (Commencement No. 2) Order (Northern Ireland) 1996 ([S.R. 1996 No. 91 \(C. 4\)](#)) provides for the coming into operation of Articles 89, 90 and 92 of the Order, for the purpose only of authorising the making of regulations, and Article 166 of the Order, in so far as it was not already in operation, on 6th April 1996.

As these Regulations make in relation to Northern Ireland only provision corresponding to provision contained in regulations made by the Secretary of State for Social Security in relation to Great Britain, the requirement for consultation under Article 117(1) of the Order does not apply by virtue of paragraph (2)(e) of that Article.