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## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations amend the Pension Protection Fund (Entry Rules) Regulations (Northern Ireland) 2005 (“the Entry Rules Regulations”).

Regulation 1 provides for citation and commencement.

Regulation 2 amends the Entry Rules Regulations. In particular—

paragraph (2) inserts a definition of the Pension Protection Fund (Multi-employer Schemes) (Modification) Regulations (Northern Ireland) 2005 (“the Multi-employer Regulations”);

paragraph (3)(a) and (b) makes minor amendments to regulation 2 where it refers to “employer” and corrects cross references to Article 75 of the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22)); paragraph (3)(c) omits regulation 2(5)(c); and paragraph (3)(d) amends regulation 2 to provide that paragraphs (2) to (7) of that regulation apply to each section of a segregated scheme as if it were a separate scheme;

paragraph (4) amends regulation 5 to add further insolvency events where a company or partnership in administration commences winding up or where a proposal for a voluntary arrangement is made;

paragraph (5)(b) to (d) amends regulation 7 to provide that where the employer is a trade union, in relation to which it is not possible for an insolvency event to occur, the trustees or managers of an eligible scheme must apply to the Board of the Pension Protection Fund (“the Board”) for it to assume responsibility for that scheme under Article 112 of the Pensions (Northern Ireland) Order 2005 (“the Order”) where the condition in Article 113(1)(a) of the Order is satisfied;

paragraphs (5)(a) and (6) to (8) make amendments to regulations 7 and 8, and insert new regulations 7A and 8A, which are consequential upon provisions of the substituted Parts III and VI of the Multi-employer Regulations;

paragraph (9) amends regulation 13 to provide that a notice given by the Board under Article 109(3) of the Order shall be in writing.

The Pensions (2005 Order) (Commencement No. 1 and Consequential and Transitional Provisions) Order (Northern Ireland) 2005 (S.R. 2005 No. 48 (C. 5)) provides for the coming into operation of some of the enabling provisions under which these Regulations are made to be brought fully into operation as follows—

Article 110(5) on 1st April 2005;

Articles 105(5), 109(4) and 113(1)(b), (3)(b) and (8) on 6th April 2005.

As these Regulations are made before the end of the period of six months beginning with the coming into operation of the provisions of the Order by virtue of which they are made, the requirement to consult under Article 289(1) of the Order does not apply by virtue of paragraph (2)(c) of that Article.

**Changes to legislation:**

There are currently no known outstanding effects for the The Pension Protection Fund (Entry Rules) (Amendment) Regulations (Northern Ireland) 2005.