
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 570

The Occupational Pension Schemes (Regulatory Own Funds) Regulations (Northern Ireland) 2005

Calculation of the amount of the regulatory own funds requirement

- 4.—(1) The amount of the regulatory own funds requirement is the aggregate of—
- (a) a sum equal to 4% of the technical provisions of the occupational pension scheme, plus
 - (b) a sum equal to 0.3% of the capital at risk for members of the scheme in respect of which the capital at risk is not a negative figure, and where the capital at risk is as calculated in paragraph (2).
- (2) For the purposes of paragraph (1)(b), “capital at risk” means—
- (a) to the extent that the benefit payable on death in respect of a member of the scheme comprises a lump sum benefit, the amount of that lump sum payable on death, and
 - (b) to the extent that the benefit payable on death comprises the purchase of an annuity, payment of a sum by instalments or any other kind of periodical payments, the present value of that benefit calculated in a way consistent with the determination of the scheme’s technical provisions,

less the scheme’s technical provisions in relation to those members.

(3) Where any requirement of this regulation is not complied with, Article 10(3) to (9) of the 1995 Order (civil penalties) shall apply to a trustee or manager who has failed to take all reasonable steps to ensure compliance as if this regulation were made under Part II of that Order (occupational pensions).