
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 91

**The Pension Protection Fund (Multi-employer Schemes)
(Modification) Regulations (Northern Ireland) 2005**

PART IV

**SEGREGATED SCHEMES: NON-SEGREGATED MULTI-EMPLOYER
SECTIONS OF SEGREGATED SCHEMES WITH REQUIREMENT FOR
PARTIAL WIND UP ON WITHDRAWAL OF PARTICIPATING EMPLOYER**

Transfer notices and assumption of responsibility for a scheme

42.—(1) Article 144 (transfer notice) shall be modified in its application to a segregated part to which regulation 28 applies so that it shall be read as if –

(a) after paragraph (1) there were inserted the following paragraph –

“(1A) This Article also applies where the Board is required to assume responsibility for a segregated part of a multi-employer section of a segregated scheme.”;

(b) after paragraph (2) there were inserted the following paragraph –

“(2A) Where the trustees or managers of a segregated part of a multi-employer section of a segregated scheme receive a transfer notice from the Board under paragraph (2), they must send a copy of that notice as soon as practicable to the trustees or managers of each section of the scheme (if different) and to all the employers in relation to the scheme.”;

(c) after paragraph (4)(1) there were inserted the following paragraph –

“(4B) In a case where the Board is required to assume responsibility for a segregated part of a multi-employer section of a segregated scheme under Article 111, 112, 136 or 142, a transfer notice may not be given until the Board has obtained a further actuarial valuation of the assets and protected liabilities of the section as a whole and of the segregated part under Article 144A as at the date on which it is required to assume responsibility for the segregated part and that valuation has been approved by the Board and become binding.”; and

(d) for paragraph (6) there were substituted the following paragraph –

“(6) The Board must give a copy of the transfer notice under paragraph (2) to –

(a) the Regulator, and

(b) an insolvency practitioner acting in relation to the employer in relation to the segregated part of the multi-employer section of the segregated scheme in respect of which the transfer notice is issued.”.

(2) Article 145 (effect of Board assuming responsibility for a scheme) shall be modified in its application to a segregated part to which regulation 28 applies so that it shall be read as if –

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in paragraph (2)(b) after “obligations” there were inserted “to or in respect of members of the segregated part”; and
 - (b) in paragraph (4)(a) after “to or in respect of persons” there were inserted “who are or were members of the segregated part”.
- (3) In Schedule 5 to the Order (transfer of property, rights and liabilities to the Board) paragraph 1 shall be modified in its application to a segregated part to which regulation 28 applies so that it shall be read as if for “an occupational pension scheme” there were substituted “a segregated part of a multi-employer section of a segregated multi-employer scheme”.