

2008 No. 303

PENSIONS

**The Pension Protection Fund (Entry Rules) (Amendment)
Regulations (Northern Ireland) 2008**

Made - - - - - *11th July 2008*

Coming into operation - *2nd August 2008*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by Article 110(3) of the Pensions (Northern Ireland) Order 2005(a).

Citation and commencement

1. These Regulations may be cited as the Pension Protection Fund (Entry Rules) (Amendment) Regulations (Northern Ireland) 2008 and shall come into operation on 2nd August 2008.

Amendment of the Pension Protection Fund (Entry Rules) Regulations

2. In regulation 3 of the Pension Protection Fund (Entry Rules) Regulations (Northern Ireland) 2005(b) (schemes which cease to be eligible schemes)—

- (a) in paragraph (1)—
 - (i) at the end of sub-paragraph (a) omit “or”;
 - (ii) at the end of sub-paragraph (b) insert—
 - “or
 - (c) the employer in relation to the scheme, or the last remaining employer in relation to a multi-employer scheme, is dissolved,”;
- (b) after paragraph (2) add—
 - “(3) In its application to a segregated scheme, paragraph (1) shall have effect as if each section of the scheme were a separate scheme.”.

Sealed with the Official Seal of the Department for Social Development on 11th July 2008

(L.S.)

John O’Neill
A senior officer of the Department for Social Development

(a) S.I. 2005/255 (N.I. 1); Article 110 is modified in its application to multi-employer schemes by Part VI of S.R. 2005 No. 91 as substituted by regulation 3(4) of S.R. 2005 No. 357
(b) S.R. 2005 No. 126; regulation 3 was amended by regulation 21(4) of S.R. 2006 No. 155

EXPLANATORY NOTE

(This note is not part of the Regulations)

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

Pension schemes are required to go through an assessment period to determine whether they can enter into the Pension Protection Fund (“the Fund”). Some schemes cease to be eligible to enter into the Fund during the assessment period because the sponsoring employer is dissolved. Regulation 2 of these Regulations amends regulation 3 of the Entry Rules Regulations to allow such schemes to remain eligible to enter into the Fund. It also provides that each section of a segregated scheme can remain eligible to enter into the Fund.

As these Regulations make in relation to Northern Ireland only provision corresponding to provision contained in regulations made by the Secretary of State for Work and Pensions in relation to Great Britain, the requirement to consult under Article 289(1) of the Pensions (Northern Ireland) Order 2005 does not apply by virtue of paragraph (2)(e) of that Article.

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