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STATUTORY RULES OF NORTHERN IRELAND

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**2010 No. 122**

**The Occupational and Personal Pension Schemes  
(Automatic Enrolment) Regulations (Northern Ireland) 2010**

**[<sup>F1</sup>PART 7A**

**Certification that a quality or alternative requirement is satisfied**

**[<sup>F1</sup>Alternative requirements for a money purchase scheme**

**32E.**—(1) [<sup>F2</sup>Subject to paragraph (1A), in relation to] a money purchase scheme to which section 20 (quality requirement: UK money purchase schemes) applies <sup>F3</sup>..., the prescribed alternative requirement is the first, second or third set of requirements set out in paragraph (2), (3) or (4).

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<sup>F4</sup>(1A) In relation to a money purchase scheme—

- (a) to which section 20 of the Act applies, and
- (b) which provides collective money purchase benefits,

the prescribed alternative requirement is the first, second or third set of requirements set out in paragraph (2), (3) or (4) or, in respect of any jobholders accruing rights to benefits under a collective money purchase scheme, the requirements set out in regulation 32EA.]

- (2) The first set of requirements is that under the scheme—
  - (a) the employer of the relevant jobholder must pay contributions in respect of the jobholder;
  - (b) the employer's contribution must be equal to or more than 4% of the amount of the relevant jobholder's pensionable earnings in the certification period;
  - (c) the total amount of the contributions paid by the relevant jobholder and the employer must be equal to or more than 9% of the jobholder's pensionable earnings in the certification period, and
  - (d) the pensionable earnings of the relevant jobholder must be equal to or more than the basic pay of that jobholder.
- (3) The second set of requirements is that—
  - (a) under the scheme—
    - (i) the employer of the relevant jobholder must pay contributions in respect of the jobholder;
    - (ii) the employer's contribution must be equal to or more than 3% of the amount of the relevant jobholder's pensionable earnings in the certification period;
    - (iii) the total amount of the contributions paid by the relevant jobholder and the employer must be equal to or more than 8% of the amount of the jobholder's pensionable earnings in the certification period, and

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- (iv) the pensionable earnings of the relevant jobholder must be equal to or more than the basic pay of that jobholder, and
- (b) taking all of the relevant jobholders together, the pensionable earnings of those jobholders constitute at least 85% of the earnings of those jobholders in the certification period.
- (4) The third set of requirements is that under the scheme—
- (a) the employer of the relevant jobholder must pay contributions in respect of the jobholder;
- (b) the employer's contribution must be equal to or more than 3% of the amount of the relevant jobholder's earnings in the certification period, and
- (c) the total amount of the contributions paid by the relevant jobholder and the employer must be equal to or more than 7% of the amount of the jobholder's earnings in that period.
- (5) Subject to paragraph (6), for the purposes of paragraphs (1) to (4), a scheme as referred to in paragraph (1) may satisfy the first, second or third set of requirements even though under the scheme there is an upper limit (however expressed) to the amount of contributions that may be paid by the employer or the relevant jobholder or both of those persons.
- (6) The upper limit must not result in the payment of contributions by the employer, or by the employer and the relevant jobholder, that are less than those required by the relevant quality requirement.
- (7) For the purposes of paragraphs (2) to (6), a reference to “the relevant jobholder” is a reference to each of the relevant jobholders.]

#### Textual Amendments

- F1** Pt. 7A inserted (1.7.2012) by [The Occupational and Personal Pension Schemes \(Automatic Enrolment\) Regulations \(Northern Ireland\) 2012 \(S.R. 2012/237\)](#), regs. 1(1)(a), **2(3)**
- F2** Words in reg. 32E(1) substituted (26.1.2024) by [The Occupational Pension Schemes \(Collective Money Purchase Schemes\) Regulations \(Northern Ireland\) 2024 \(S.R. 2024/15\)](#), regs. 1, 36, **Sch. 7 para. 2(2)(a)**
- F3** Words in reg. 32E(1) omitted (31.12.2020) by virtue of [The Occupational and Personal Pension Schemes \(Amendment etc.\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/193\)](#), regs. 1, **29(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Reg. 32E(1A) inserted (26.1.2024) by [The Occupational Pension Schemes \(Collective Money Purchase Schemes\) Regulations \(Northern Ireland\) 2024 \(S.R. 2024/15\)](#), regs. 1, 36, **Sch. 7 para. 2(2)(b)**

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**Changes and effects yet to be applied to :**

- Regulations modified by [S.R. 2015/122 reg. 4](#)

**Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:**

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Sch. 1 Sch. renumbered as Sch. 1 by [S.R. 2012/232 reg. 2\(26\)](#)
- Sch. 1 substituted by [S.R. 2013/243 reg. 4\(11\)](#)Sch.
- reg. 35(1)(a)(ii)(bb) word substituted by [S.R. 2013/221 reg. 2\(a\)\(i\)](#)