
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 122

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

[^{F1}PART 7A

Certification that a quality or alternative requirement is satisfied

[^{F1}Interpretation

32K.—(1) In this Part—

[^{F2}“actuary” means an actuary appointed by the scheme or the employer;]

“alternative requirement” means an alternative requirement prescribed by regulation 32E, [^{F3}32EA,] 32F or 32G, including regulations 32E and 32F as modified by regulation 32I;

“basic pay” means the gross earnings of the jobholder from the jobholder's employment by the employer, disregarding the gross amount of—

- (a) any commission, bonuses, overtime or similar payments;
- (b) any shift premium pay, and
- (c) any reasonable allowance with respect to—
 - (i) any duty of the jobholder, such as a duty in connection with the role of fire or bomb warden, that is ancillary to the main duties of the jobholder's employment;
 - (ii) the cost of relocation of the jobholder to a different place of work;
 - (iii) in a case not covered by sub-paragraph (ii), the purchase, lease or maintenance of a vehicle;
 - (iv) in a case not covered by sub-paragraph (ii) or (iii), the purchase, lease or maintenance of an item;
 - (v) in a case not covered by sub-paragraph (ii), (iii) or (iv), the delivery of a service to the jobholder;

“certification period” means the period for which a certificate is in force;

[^{F4}“collective money purchase scheme” has the meaning set out in section 52(2) of the Pension Schemes Act 2021;]

“earnings” has the same meaning as in section 13(3) (qualifying earnings);

“pensionable earnings” means the gross earnings of the jobholder on which contributions are payable to the pension scheme in question by the employer or the jobholder;

“shift premium pay” means, where the employer applies different rates of pay to different periods of time for which the jobholder works within a certification period, the difference between the earnings that result from the application of the different rates of pay to the periods to which each of them respectively applies and the earnings that would result from

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations (Northern Ireland) 2010. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

the application of the lowest of the different rates of pay to the total time worked during the certification period.

(2) In regulations 32E to 32J and this regulation “certificate” means a certificate that is given in accordance with regulations 32B to 32D.]

.....

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. 32K\(1\)](#) 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(6)(a)**
- F3** Word in [reg. 32K\(1\)](#) 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(6)(b)**
- F4** Words in [reg. 32K\(1\)](#) 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(6)(c)**

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations (Northern Ireland) 2010. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

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\(a\)\(i\)](#)