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STATUTORY RULES OF NORTHERN IRELAND

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**2012 No. 120**

**The Pensions (2008 Act) (Abolition of Contracting-out for  
Defined Contribution Pension Schemes) (Consequential  
Provisions) Regulations (Northern Ireland) 2012**

**PART 2**

Amendments coming into operation on 6th April 2012

**Amendment of the Personal Pension Schemes (Disclosure of Information) Regulations**

4.—(1) The Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 1987<sup>(1)</sup> are amended in accordance with paragraphs (2) to (7).

(2) In regulation 1(2) (interpretation) omit the definition of “contracted-out employment”<sup>(2)</sup>.

(3) In regulation 3 (constitution of scheme) for paragraph (4)<sup>(3)</sup> substitute—

“(4) The categories of persons mentioned in paragraphs (1) to (3)<sup>(4)</sup> are—

- (a) members of the scheme; and
- (b) beneficiaries under the scheme.”.

(4) In regulation 4 (basic information about the scheme) for paragraph (3)<sup>(5)</sup> substitute—

“(3) The information specified in Schedule 1 shall be given to—

- (a) members of the scheme; and
- (b) beneficiaries under the scheme,

on request (not being a request made by a person within 3 years of the last occasion on which the same person was furnished with the information in accordance with paragraph (2) or this paragraph) as soon as practicable after that person requests it.”.

(5) In regulation 5 (information to be made available to individuals)—

- (a) omit paragraphs (6) and (7)<sup>(6)</sup>;
- (b) in paragraph (8)<sup>(7)</sup>—
  - (i) omit “the scheme is not an appropriate scheme and”;
  - (ii) for “wind it up” substitute “wind up the scheme”;

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(1) S.R. 1987 No. 288; relevant amending provisions are S.R. 1988 No. 107, S.R. 1992 No. 304, S.R. 1994 No. 300, S.R. 1997 No. 160, S.R. 2002 No. 410, S.R. 2005 No. 536, S.I. 2006/744, S.R. 2007 No. 185 and S.R. 2010 No. 373  
(2) The definition of “contracted-out employment” was inserted by regulation 2(2)(a) of S.R. 2002 No. 410  
(3) Paragraph (4) was amended by paragraph 1(2) of Schedule 2 to S.R. 2005 No. 536  
(4) Paragraph (2) was substituted by regulation 2(3) of S.R. 2010 No. 373  
(5) Paragraph (3) was amended by paragraph 1(3) of Schedule 2 to S.R. 2005 No. 536  
(6) Paragraphs (6) and (7) were amended by paragraph 13(3) of Schedule 2 to S.R. 1994 No. 300  
(7) Paragraph (8) was amended by regulation 20(c) of S.R. 1992 No. 304

(c) for paragraph (9)(8) substitute—

“(9) Subject to paragraph (9A), where a scheme ceases to be an appropriate scheme(9) by virtue of section 13(1) of the Pensions Act (Northern Ireland) 2008 (abolition of contracting-out for defined contribution pension schemes), the trustees shall—

- (a) inform each member in relation to whom the scheme has ceased to be such a scheme (“the affected member”), except an excluded person(10), that the scheme has ceased to be an appropriate scheme, as soon as practicable and in any event not more than one month after the abolition date;
- (b) furnish the affected member, except an excluded person, as soon as practicable and in any event not more than 4 months after the abolition date, with the information mentioned in paragraph 9 of Schedule 2; and
- (c) where the scheme is unable to meet in full its liabilities to its members, furnish the affected member, except an excluded person, as soon as practicable and in any event not more than 4 months after the abolition date, with the information mentioned in paragraph 8 of Schedule 2.

(9A) Paragraph (9) does not apply where the trustees have informed the affected member of the abolition date and have furnished the affected member with the information specified in paragraph (9)(b) and, if applicable, paragraph (9)(c), within the period of 12 months ending with the abolition date.”.

(6) In Schedule 1 (basic information about the scheme)—

- (a) omit paragraph 5(11);
- (b) in paragraph 6 for “(if the scheme is an appropriate scheme)” substitute “(if the scheme was an appropriate scheme)”.

(7) In Schedule 2 (information to be made available to individuals)—

- (a) in paragraph 1(12) for “for the whole or any part of that period” substitute “at any time before the abolition date”;
- (b) in paragraph 2A(13)—
  - (i) in sub-paragraph (3)(b)(14)—
    - (aa) at the end of sub-head (i) add “and”;
    - (bb) in sub-head (ii) for “2004, and” substitute “2004.”;
    - (cc) omit sub-head (iii);
  - (ii) in sub-paragraph (7)(d)(15) for “sub-paragraphs (3)(b)(iii) and (4)” substitute “sub-paragraph (4)”;
- (c) in paragraph 9—
  - (i) the provisions of the paragraph shall become sub-paragraph (1) of the paragraph;
  - (ii) after sub-paragraph (1) add—

(8) Paragraph (9) was amended by regulation 20(c) of S.R. 1992 No. 304 and paragraph 1(3) of the Schedule to S.R. 1997 No. 160

(9) See paragraph 34(2)(b) of Schedule 4 to the Pensions Act (Northern Ireland) 2008

(10) The definition of “excluded person” was inserted by regulation 18(a) of S.R. 1992 No. 304

(11) Paragraph 5 was amended by paragraph 1(4) of the Schedule to S.R. 1997 No. 160

(12) Paragraph 1 was amended by regulation 6(e) of S.R. 1988 No. 107, regulation 23 of S.R. 1992 No. 304, paragraph 13(5) of Schedule 2 to S.R. 1994 No. 300, Article 23(4)(a) of S.I. 2006/744 and regulation 2(a) of S.R. 2007 No. 185

(13) Paragraph 2A was inserted by regulation 2(4) of S.R. 2002 No. 410

(14) Sub-paragraph (3) was amended by Article 23(4)(b) of S.I. 2006/744

(15) Sub-paragraph (7) was added by regulation 2(7)(b) of S.R. 2010 No. 373

“(2) A statement that, as a result of no longer being a member of a contracted-out scheme, the member may build up entitlement to an additional state pension from the date the scheme ceased to be an appropriate scheme.”.