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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 Occupational Pension Schemes (Disclosure of Information) Regulations**

**8.—**(1) The Occupational Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 1997<sup>(1)</sup> are amended in accordance with paragraphs (2) to (4).

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

(a) for paragraph (7) substitute—

“(7) Subject to paragraph (7ZA), where a scheme ceases to be a money purchase contracted-out scheme by virtue of section 13(1) of the Pensions Act (Northern Ireland) 2008<sup>(2)</sup>, the trustees of the scheme shall inform each member in relation to whom the scheme has ceased to be such a scheme (“the affected member”), as soon as practicable, and in any event not more than one month after the abolition date, that the scheme is no longer a money purchase contracted-out scheme, and furnish the affected member, as soon as practicable and in any event not more than 4 months after the abolition date, with—

(a) the information mentioned in paragraph 8 of Schedule 2; and

(b) except where the scheme is able to meet in full its liabilities to the affected member, the information mentioned in paragraph 10<sup>(3)</sup> of Schedule 2.

(7ZA) Paragraph (7) does not apply where the trustees of the scheme have informed the affected member of the date on which the scheme is to cease to be a money purchase contracted-out scheme and have furnished the information specified in paragraph (7) (a) and, if applicable, paragraph (7)(b), within the period of 12 months ending with the abolition date.”;

(b) omit paragraph (7A)<sup>(4)</sup>.

(3) In paragraph 10 of Schedule 1 (basic information about the scheme) omit the words from “, and whether the scheme is contracted-out” to the end.

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

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<sup>(1)</sup> S.R. 1997 No. 98; relevant amending provisions are S.R. 2000 No. 335, S.R. 2002 No. 410, S.R. 2009 No. 113 and S.R. 2010 No. 373

<sup>(2)</sup> 2008 c. 1 (N.I.)

<sup>(3)</sup> Paragraph 10 was amended by Article 5(c) of S.R. 2009 No. 113

<sup>(4)</sup> Paragraph (7A) was inserted by regulation 5(3)(d) of S.R. 2000 No. 335

- (a) in paragraph 5(1) for “for the whole or any part of the period” substitute “at any time before the abolition date”;
- (b) in paragraph 6ZA(5)—
  - (i) in sub-paragraph (3)(b)—
    - (aa) at the end of sub-head (i) add “and”;
    - (bb) at the end of sub-head (ii) omit “and”;
    - (cc) omit sub-head (iii);
  - (ii) in sub-paragraph (7)(d)(6) for “sub-paragraphs (3)(b)(iii) and (4)” substitute “sub-paragraph (4)”;
- (c) in paragraph 8—
  - (i) the provisions of the paragraph shall become sub-paragraph (1) of the paragraph;
  - (ii) in sub-paragraph (1) omit “in relation to the member’s employment”;
  - (iii) after sub-paragraph (1) add—
    - “(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 a money purchase contracted-out scheme.”;
- (d) omit paragraph 8A(7).

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(5) Paragraph 6ZA was inserted by regulation 3(4) of S.R. 2002 No. 410  
(6) Sub-paragraph (7) was added by regulation 3(8)(b)(iv) of S.R. 2010 No. 373  
(7) Paragraph 8A was inserted by regulation 5(4)(c) of S.R. 2000 No. 335