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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 309**

**The Occupational Pension Schemes (Charges and Governance) Regulations (Northern Ireland) 2015**

**PART 2**

**RESTRICTIONS ON CHARGES**

**[<sup>F1</sup>CHAPTER 1**

**Default arrangements, [<sup>F1</sup>qualifying collective money purchase schemes,] non-contributing members and payments to advisers]**

**[<sup>F1</sup>Relevant information**

**11B.**—(1) The trustees or managers of a specified scheme must notify the service provider in writing that the scheme is a specified scheme within 3 months beginning with whichever is the latest of—

- (a) 6th April 2016;
- (a) the date on which the scheme becomes a specified scheme, or
- (b) the date on which the service provider becomes a service provider in relation to the specified scheme.

(2) Subject to [<sup>F2</sup>paragraphs (2B) and (5)] , regulation 11A does not apply until the expiry of the period of one month beginning with the date on which the service provider receives the notification in paragraph (1).

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<sup>F3</sup>(2A) This paragraph applies where the relevant contract—

- (a) was entered into before 6th April 2016, and
- (b) has not been varied or renewed on or after that date.

(2B) Subject to paragraph (5), where paragraph (2A) applies regulation 11A does not apply until the expiry of the period of 6 months beginning with 1st October 2021.]

(3) [<sup>F4</sup>Except in a case to which paragraph (2A) applies, the service] provider must confirm in writing to the trustees or managers who provided the notification in paragraph (1) that it is compliant with the prohibition in regulation 11A(2) in relation to all members to whom that regulation applies within one month beginning with the date on which that regulation first applies.

[  
<sup>F5</sup>(3A) In a case to which paragraph (2A) applies, subject to paragraph (5), the service provider must confirm in writing to the trustees or managers of the specified scheme within one month beginning with 1st April 2022 that it is complying with the prohibition in regulation 11A(2) in relation to all members to whom paragraph (2A) applies.]

*Status: Point in time view as at 26/01/2024.*

*Changes to legislation: There are currently no known outstanding effects for the The Occupational Pension Schemes (Charges and Governance) Regulations (Northern Ireland) 2015, Section 11B. (See end of Document for details)*

(4) Where the service provider is unable to comply with the prohibition in regulation 11A(2) in relation to all members because the service provider requires information about which members are former workers to whom regulation 11A applies, the service provider may request the information from the trustees or managers of the specified scheme to enable it to comply.

(5) Where a request is made under paragraph (4), the time period referred to—

(a) in [<sup>F6</sup>paragraph (2) or (2B)] in respect of those members about whom a request has been made and to whom regulation 11A applies, or

(b) in [<sup>F7</sup>paragraph (3) or (3A)] ,

commences on the date on which the information requested is received by the service provider.

(6) The service provider must inform the trustees or managers of the specified scheme in writing if the confirmation that it has given in compliance with paragraph (3) [<sup>F8</sup>or (3A)] is no longer accurate, as soon as practicable, and in any event within one month, beginning with the date on which it is no longer accurate.

(7) Where a request is made under paragraph (4), the trustees or managers must provide the information requested within one month beginning with the date of receipt of the request.

[<sup>F9</sup>(8) In this regulation, in relation to a specified section, references to a “specified scheme” are to be read as references to a “specified section”.]

#### Textual Amendments

- F1** Regs. 11A-11C inserted (6.4.2016) by The Occupational Pension Schemes (Charges and Governance) (Amendment) Regulations (Northern Ireland) 2016 (S.R. 2016/171), regs. 1, 5
- F2** Words in reg. 11B(2) substituted (1.10.2021) by The Occupational Pension Schemes (Administration, Investment and Charges and Governance) (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/272), regs. 1(1), **6(10)(a)**
- F3** Reg. 11B(2A)(2B) inserted (1.10.2021) by The Occupational Pension Schemes (Administration, Investment and Charges and Governance) (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/272), regs. 1(1), **6(10)(b)**
- F4** Words in reg. 11B(3) substituted (1.10.2021) by The Occupational Pension Schemes (Administration, Investment and Charges and Governance) (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/272), regs. 1(1), **6(10)(c)**
- F5** Reg. 11B(3A) inserted (1.10.2021) by The Occupational Pension Schemes (Administration, Investment and Charges and Governance) (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/272), regs. 1(1), **6(10)(d)**
- F6** Words in reg. 11B(5)(a) substituted (1.10.2021) by The Occupational Pension Schemes (Administration, Investment and Charges and Governance) (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/272), regs. 1(1), **6(10)(e)(i)**
- F7** Words in reg. 11B(5)(b) substituted (1.10.2021) by The Occupational Pension Schemes (Administration, Investment and Charges and Governance) (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/272), regs. 1(1), **6(10)(e)(ii)**
- F8** Words in reg. 11B(6) inserted (1.10.2021) by The Occupational Pension Schemes (Administration, Investment and Charges and Governance) (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/272), regs. 1(1), **6(10)(f)**
- F9** Reg. 11B(8) added (26.1.2024) by The Occupational Pension Schemes (Collective Money Purchase Schemes) Regulations (Northern Ireland) 2024 (S.R. 2024/15), reg. 1, **Sch. 7 para. 21**, 36

**Status:**

Point in time view as at 26/01/2024.

**Changes to legislation:**

There are currently no known outstanding effects for the The Occupational Pension Schemes (Charges and Governance) Regulations (Northern Ireland) 2015, Section 11B.