
STATUTORY RULES OF NORTHERN IRELAND

2018 No. 54

**The Occupational Pension Schemes (Preservation
of Benefit and Charges and Governance)
(Amendment) Regulations (Northern Ireland) 2018**

Amendment of the Occupational Pension Schemes (Charges and Governance) Regulations

3.—(1) Regulation 4 of the Occupational Pension Schemes (Charges and Governance) Regulations (Northern Ireland) 2015⁽¹⁾ (restrictions on charges) is amended in accordance with paragraph (2).

(2) After paragraph (2) add—

“(3) The application of this regulation and regulations 5 to 9 in respect of the value of a member’s rights is not affected by—

- (a) a transfer of those rights from one relevant scheme to another, or
- (b) a subsequent transfer of those rights from one arrangement to another within the receiving scheme,

where the member has not given consent to the transfer.

(4) This Part does not apply to a member of a relevant scheme to the extent of the value of that member’s rights in an arrangement (“Arrangement A”) where—

- (a) the value of the rights has been transferred to Arrangement A from an arrangement which is not a default arrangement;
- (b) the member has not given consent to the transfer;
- (c) before the transfer took place, Arrangement A was not a default arrangement, and
- (d) the member has, in the 5 years ending with the date of the transfer, expressed a choice as to where that member’s contributions were allocated.”.