
DRAFT STATUTORY INSTRUMENTS

2005 No.

The Pensions (Northern Ireland) Order 2005

PART VII

CROSS-BORDER ACTIVITIES WITHIN EUROPEAN UNION

UK occupational pension scheme receiving contributions from European employer

Approval in relation to particular European employer

265.—(1) An application by the trustees or managers of an occupational pension scheme for approval under this Article in relation to a European employer is made by the trustees or managers of the scheme giving the Regulator in the prescribed manner a notice (“the notice of intention”) in the prescribed form which—

- (a) specifies the European employer (“the specified employer”),
- (b) states their intention, subject to approval under this Article, to accept contributions from the specified employer,
- (c) specifies the host member State, and
- (d) contains other prescribed information.

(2) On receipt of the notice of intention, the Regulator must within three months—

- (a) where the Regulator is satisfied that the persons giving the notice of intention meet prescribed conditions—
 - (i) notify the competent authority of the host member State of the receipt by the Regulator of the notice of intention and of the contents of the notice, and
 - (ii) notify the persons who gave the notice of intention that they are approved for the purposes of this Article in relation to the specified employer, or
- (b) in any other case, notify the persons who gave the notification that they are not so approved.

(3) If the Regulator does not act under paragraph (2)(a) or (b) within the period of three months beginning with the day on which the notice of intention was received, the persons who gave the notice of intention are to be taken to have been approved for the purposes of this Article in relation to the specified employer at the end of the period.

(4) Regulations may make provision as to—

- (a) the revocation by the Regulator of approval under this Article, and
- (b) the criteria to be applied by the Regulator in reaching any decision relating to the revocation of approval.