
DRAFT STATUTORY INSTRUMENTS

2005 No.

The Pensions (Northern Ireland) Order 2005

PART IX

MISCELLANEOUS AND SUPPLEMENTARY

General

Modification of this Order in relation to certain categories of schemes

280.—(1) Regulations may modify any of the provisions mentioned in paragraph (2) as it applies in relation to—

- (a) hybrid schemes;
- (b) multi-employer schemes;
- (c) any case where a partnership is the employer, or one of the employers, in relation to an occupational pension scheme.

(2) The provisions referred to in paragraph (1) are those of—

- (a) Part II (the Pensions Regulator),
- (b) Part III (the Board of the Pension Protection Fund), other than Chapter 1,
- (c) Articles 234 and 235 (pension protection),
- (d) Articles 236 and 238 (consultation by employers), and
- (e) Part VII (cross-border activities within European Union).

(3) Regulations may also modify any of the provisions of Part III as it applies in relation to an eligible scheme in respect of which a relevant public authority has—

- (a) given a guarantee in relation to any part of the scheme, any benefits payable under the scheme rules or any member of the scheme, or
- (b) made any other arrangements for the purpose of securing that the assets of the scheme are sufficient to meet any part of its liabilities.

(4) In this Article—

“eligible scheme” has the meaning given in Article 110;

“hybrid scheme” means an occupational pension scheme—

- (a) which is not a money purchase scheme, but
- (b) where some of the benefits that may be provided are—
 - (i) money purchase benefits attributable to voluntary contributions of the members, or
 - (ii) other money purchase benefits;

“multi-employer scheme” means an occupational pension scheme in relation to which there is more than one employer;

“relevant public authority” means—

- (a) a Minister of the Crown (within the meaning of the Ministers of the Crown Act 1975 (c. 26)); or
- (b) a government department (including any body or authority exercising statutory functions on behalf of the Crown).