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DRAFT STATUTORY INSTRUMENTS

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**2018 No.**

**The Occupational and Personal Pension Schemes (Amendment etc.) (Northern Ireland) (EU Exit) Regulations 2018**

**PART 2**

**Amendment of Acts and Orders in Council**

**Amendment of the Pensions (Northern Ireland) Order 2005**

- 5.—(1) The Pensions (Northern Ireland) Order 2005(1) is amended as follows.
- (2) In Article 68 (inspection of premises), in paragraph (2)(a), in the list of provisions—
- (a) in the parenthetical description of Article 230, for “non-European” substitute “non-UK”;
  - (b) omit “Part VII (cross-border activities within European Union);”.
- (3) In Article 82 (other permitted disclosures), for paragraph (2)(h) substitute—
- “(h) in pursuance of retained EU law.”.
- (4) In Article 183 (other permitted disclosures), for paragraph (2)(g) substitute—
- “(g) in pursuance of retained EU law.”.
- (5) In Article 226A (requirement for internal controls)(2), omit paragraph (4).
- (6) In Article 230 (non-European scheme to be trust with UK-resident trustee)(3)—
- (a) in the heading, for “Non-European” substitute “Non-UK”;
  - (b) in paragraphs (1) and (6), for “EEA states” substitute “United Kingdom”.
- (7) In Article 231 (representative of non-European scheme to be treated as trustee)(4)—
- (a) in the heading, for “non-European” substitute “non-UK”;
  - (b) in paragraph (1), for “EEA states” substitute “United Kingdom”.
- (8) Omit Part 7 (cross-border activities within European Union)(5).
- (9) In Article 280(2) (modification of this Order in relation to certain categories of schemes) omit sub-paragraph (e) and the “and” before it.
- (10) In Schedule 3 (restricted information held by the Regulator) and Schedule 7 (restricted information held by the Board)(6), in the entry in the table relating to a recognised investment exchange, in the first column omit “, EEA central counterparty” and “, EEA CSD”.

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(1) [S.I. 2005/255 \(N.I. 1\)](#).

(2) Article 226A was inserted by regulation 2 of [S.R. 2005 No. 567](#).

(3) Article 230(1) and (6) was amended by regulation 5(2) of [S.R. 2007 No. 457](#).

(4) Article 231(1) was amended by regulation 5(3) of [S.R. 2007 No. 457](#).

(5) Part 7 was amended by regulation 5(4) to (10) of [S.R. 2007 No. 457](#), paragraph 33 of Schedule 2 to the Pension Schemes Act (Northern Ireland) 2016 (c. 1 (N.I.)) and regulation 2 of [S.R. 2018 No. 182](#).

(6) Schedules 3 and 7 were amended by paragraph 28 of the Schedule to [S.I. 2017/1064](#); there are other amendments but none is relevant.

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**Draft Legislation:** This is a draft item of legislation and has not yet been made as a UK Statutory Instrument. This draft has been replaced by a new draft, The Occupational and Personal Pension Schemes (Amendment etc.) (Northern Ireland) (EU Exit) Regulations 2018 ISBN 978-0-11-117572-9

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