



Pension Schemes (Northern Ireland) Act 1993

1993 CHAPTER 49

PART VIII

RELATIONSHIP BETWEEN REQUIREMENTS AND SCHEME RULES

129 Advice of the Board as to conformity of schemes with requirements

- (1) The Board may at any time, and shall if requested by the persons responsible under section 128 for taking steps to bring a scheme into conformity with the preservation requirements, the equal access requirements or the voluntary contributions requirements, advise whether the rules of a scheme to which those requirements apply do or do not in the Board's opinion conform with any of those requirements.
- (2) Where the Board advise that the rules do not conform, they shall indicate what steps they consider should be taken with a view to securing conformity.
- (3) The Board may at any time, and shall if requested by the trustees or managers of a scheme, advise on any question whether—
 - (a) any provision mentioned in subsection (4) does or does not override any provision of a scheme;
 - (b) any benefit is a money purchase benefit, or an average salary benefit or a flat rate benefit (within the meaning of section 80).
- (4) The provisions referred to in subsection (3)(a) are any provision of Chapter II, III or IV of Part IV, section 106(1) or regulations under section 109 or 110.