



Pension Schemes (Northern Ireland) Act 1993

1993 CHAPTER 49

PART III

CERTIFICATION OF PENSION SCHEMES AND EFFECTS ON MEMBERS' STATE SCHEME RIGHTS AND DUTIES

CHAPTER I

CERTIFICATION

Alteration of scheme rules after certification

34 Alteration of rules of appropriate schemes.

- (1) Where an appropriate scheme certificate has been issued, no alteration of the rules of the relevant scheme shall be made so as—
 - (a) to affect any of the matters dealt with in sections 22 to 29; or
 - (b) to cause the scheme to take a different permitted form from that previously taken,

^{F1} . . .
- (2) Subsection (1) does not apply to an alteration of a prescribed description.
- (3) Subject to subsection (4), any alteration to which subsection (1) applies shall be void
^{F2} . . .
- (4) [^{F3}Regulations made by virtue of subsection (2) may], operate so as to validate with retrospective effect any alteration of the rules which would otherwise be void under this section.

Status: Point in time view as at 07/07/1997. This version of this provision has been superseded.

Changes to legislation: Pension Schemes (Northern Ireland) Act 1993, Section 34 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (5) This section shall continue in force in relation to a scheme after it has ceased to be an appropriate scheme so long as any person has protected rights under the scheme.
- (6) The reference in subsection (1)(b) to a permitted form is to one of the following forms, namely—
- (a) an arrangement for the issue of insurance policies or annuity contracts;
 - (b) a unit trust scheme of a kind mentioned in Part I of Schedule 1 to the Personal Pension Schemes (Appropriate Schemes) Regulations (Northern Ireland) 1988 which has been authorised under section 78(1) of or by virtue of paragraph 9 of Schedule 15 to the Financial Services Act 1986;
 - (c) an arrangement for the investment of contributions in an interest-bearing account (including shares in or deposits with a building society (within the meaning of the ^{M1}Building Societies Act 1986)).
 - [^{F4}(d) an investment company with variable capital within the meaning of the Open-Ended Investment Companies (Investment Companies with Variable Capital) Regulations (Northern Ireland) 1997.]

^{F5}(7)

Textual Amendments

- F1** Words in s. 34(1) repealed (6.4.1997) by S.I. 1995/3213 (NI 22), arts. 1(2), 147, 168, Sch. 3 para. 33(a), Sch. 5 Pt. III; S.R. 1997/192, art. 2(b)
- F2** Words in s. 34(3) repealed (6.4.1997) by S.I. 1995/3213 (NI 22), arts. 1(2), 147, 168, Sch. 3 para. 33(b), Sch. 5 Pt. III; S.R. 1997/192, art. 2(b)
- F3** Words in s. 34(4) substituted (6.4.1997) by S.I. 1995/3213 (NI 22), arts. 147, Sch. 3 para. 33(c); S.R. 1997/192, art. 2(b)
- F4** S. 34(6)(d) inserted (7.7.1997) by S.R. 1997/251, reg. 75, Sch. 8 Pt. I para. 17
- F5** S. 34(7) repealed (6.4.1997) by S.I. 1995/3213 (NI 22), arts. 1(2), 147, Sch. 3 para. 33(d), Sch. 5 Pt. III; S.R. 1997/192, art. 2(b)

Marginal Citations

- M1** 1986 c. 53.

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