



Pension Schemes Act 2021

2021 CHAPTER 1

PART 2

COLLECTIVE MONEY PURCHASE BENEFITS: NORTHERN IRELAND

Supplementary

100 Interpretation of Part 2

(1) In this Part—

“administration charge” has the same meaning as in paragraph 1 of Schedule 18 to the Pensions Act (Northern Ireland) 2015 (c. 5 (N.I.));

“authorisation” means authorisation under section 60 or by virtue of regulations under section 56(2) (and related expressions are to be read accordingly);

“authorisation criteria” has the meaning given in section 60(3);

“the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);

“the Department” means the Department for Communities in Northern Ireland;

“employer”, in relation to an occupational pension scheme, means a person who employs or engages persons who are, or are entitled to become, members of the scheme;

“implementation strategy” has the meaning given in section 90;

“insolvency event” has the meaning given in Article 105 of the Pensions (Northern Ireland) Order 2005 (S.I. 2005/255 (N.I. 1));

“Master Trust scheme” means a Master Trust scheme within the meaning of the Pension Schemes Act 2017 or any corresponding statutory provision;

“member” has the meaning given in Article 121(1) of the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22)) (read with regulations made under Article 122(4) of that Order);

Changes to legislation: There are currently no known outstanding effects for the Pension Schemes Act 2021, Section 100. (See end of Document for details)

“occupational pension scheme” has the same meaning as in the Pension Schemes (Northern Ireland) Act 1993 (see section 1(1) of that Act);

“pension scheme” has the meaning given in section 1(5) of the Pension Schemes (Northern Ireland) Act 1993;

“the scheme actuary”, in relation to a pension scheme, means the person appointed under Article 47(1)(b) of the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22)) (professional advisers) in relation to the scheme;

“scheme rules” has the meaning given in Article 2(3) and (4) of the Pensions (Northern Ireland) Order 2005 (S.I. 2005/255 (N.I. 1));

“statutory provision” has the meaning given in section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.));

“triggering event” has the meaning given in section 82.

- (2) For the purposes of this Part, an employer (“A”) is connected with another employer (“B”)—
- (a) where A is, or has been, a group undertaking in relation to B within the meaning of section 1161(5) of the Companies Act 2006, or
 - (b) in circumstances specified in regulations made by the Department.
- (3) This Part applies to a qualifying scheme—
- (a) which provides both qualifying benefits and other benefits, and
 - (b) for which there is no power to wind up the scheme to the extent only that it provides qualifying benefits,
- as if references to winding up the scheme, or to the scheme being wound up, were to ceasing to operate the scheme, or the scheme ceasing to operate, to the extent that it provides qualifying benefits.
- (4) Regulations made by the Department may make provision to the effect that, for the purposes of any specified provisions of this Part, a reference in this Part to a collective money purchase scheme includes a scheme that—
- (a) is in the process of being wound up, and
 - (b) was a collective money purchase scheme immediately before the beginning of that process.

“Specified” here means specified in the regulations.

- (5) Regulations under subsection (2) or (4) are subject to confirmatory procedure.

Commencement Information

- I1** S. 100 in force at Royal Assent for specified purposes, see s. 131(3)(a)
I2 S. 100 in force at 1.8.2022 in so far as not already in force by S.R. 2022/197, art. 3(a)

Changes to legislation:

There are currently no known outstanding effects for the Pension Schemes Act 2021, Section 100.