STATUTORY RULES OF NORTHERN IRELAND

2008 No. 117

PENSIONS

The Occupational Pension Schemes (Non-European Schemes Exemption) Regulations (Northern Ireland) 2008

Made - - - -	*13th March 2008*
Coming into operation	*6th April 2008*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by Article 230(5) of the Pensions (Northern Ireland) Order 2005(**1**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Occupational Pension Schemes (Non-European Schemes Exemption) Regulations (Northern Ireland) 2008 and shall come into operation on 6th April 2008.

(2) In these Regulations—

"EEA agreement" means the agreement on the European Economic Area signed at Oporto on 2nd May 1992, together with the Protocol adjusting that Agreement signed at Brussels on 17th March 1993, as modified or supplemented from time to time;

"EEA state", in relation to any time, means—

(a) a state which at that time is a member State, or

(b) any other state which at that time is a party to the EEA agreement;

"split approved scheme" means a retirement benefits scheme which—

(a) immediately before 6th April 2006, was treated in accordance with section 611 of the Income and Corporation Taxes Act 1988(**2**) (definition of "retirement benefits scheme") as two or more separate schemes and at least one of those separate schemes was not approved for the purposes of Chapter 1 of Part 14 of that Act (retirement benefit schemes), and

(b) with effect from 6th April 2006, is treated in accordance with section 153 of the Finance Act 2004(**3**) (registration of pension schemes) as a registered pension scheme in respect

(**1**) S.I. 2005/255 (N.I. 1); Article 230 was amended by regulation 5(2) of S.R. 2007 No. 457

(**2**) 1988 c.1; Chapter 1 of Part 14 (including section 611) was repealed from 6th April 2006 by section 326 of, and Part 3 of Schedule 42 to, the Finance Act 2004 (c. 12)

(**3**) 2004 c. 12; section 153 was amended by paragraphs 2 and 3 of Schedule 10 to the Finance Act 2005 (c. 7)