STATUTORY RULES OF NORTHERN IRELAND

2006 No. 156

PENSIONS

The Pension Protection Fund (Reviewable Matters and Review and Reconsideration of Reviewable Matters) (Amendment) Regulations (Northern Ireland) 2006

Made - - - -	*24th March 2006*
Coming into operation	*6th April 2006*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by Articles 188(2)(a) and (4)(a) and 189(2) and (5)(a) of the Pensions (Northern Ireland) Order 2005(**1**).

Citation and commencement

1. These Regulations may be cited as the Pension Protection Fund (Reviewable Matters and Review and Reconsideration of Reviewable Matters) (Amendment) Regulations (Northern Ireland) 2006 and shall come into operation on 6th April 2006.

Amendment of Schedule 8 to the Pensions (Northern Ireland) Order

2. In Schedule 8 to the Pensions (Northern Ireland) Order 2005 (reviewable matters)—

(a) after paragraph 3A(**2**) there shall be inserted the following paragraph—

"**3B.** The provision of information by the Board under—

(a) regulation 3(2) of the Pension Protection Fund (Provision of Information) Regulations (Northern Ireland) 2005(**3**) (information to be provided by the Board);

(b) regulation 3(2A) of those Regulations; or

(c) regulation 3(9) of those Regulations,

or the failure to provide information under those provisions.";

(b) after paragraph 16 there shall be inserted the following paragraphs—

(**1**) S.I. 2005/255 (N.I. 1); Part III is modified in its application to partially guaranteed schemes, hybrid schemes and multi-employer schemes by, respectively, S.R. 2005 Nos. 55, 84 and 91 (as amended by S.R. 2005 Nos. 194 and 357)

(**2**) Paragraph 3A was inserted by regulation 4(a) of S.R. 2005 No. 127

(**3**) S.R. 2005 No. 129; relevant amending Regulations are S.R. 2006 No. 140

"**16A.** Any step taken by the Board under Article 147(4)(a) (adjustments to be made where Board assumes responsibility for a scheme) to recover the amount of any excess from future pension compensation payments.

16B. Any determination by the Board, or the failure to make a determination, under regulation 6(2) of the Pension Protection Fund (General and Miscellaneous Amendments) Regulations (Northern Ireland) 2006(**4**) (circumstances where the Board is not required to recover overpaid scheme benefits).”; and

(c) after paragraph 17A(**5**) there shall be inserted the following paragraph—

"**17B.** Any determination made by the Board under regulation 16(2) or (5)(b) of the Pension Protection Fund (General and Miscellaneous Amendments) Regulations (Northern Ireland) 2006 (recovery of PPF compensation overpayments).”.

Amendment of the Pension Protection Fund (Reviewable Matters) Regulations

3. In the Schedule to the Pension Protection Fund (Reviewable Matters) Regulations (Northern Ireland) 2005(**6**) (prescribed period for failure) after paragraph 13 there shall be inserted the following paragraph—

"**13A.** Paragraph 16B	**13A.** The period beginning with the date on which the Board has sufficient information to make a determination under regulation 6(2) of the Pension Protection Fund (General and Miscellaneous Amendments) Regulations (Northern Ireland) 2006 to the date on which the Board makes a determination under that provision.”.

Amendment of the Pension Protection Fund (Review and Reconsideration of Reviewable Matters) Regulations

4.—(1) The Pension Protection Fund (Review and Reconsideration of Reviewable Matters) Regulations (Northern Ireland) 2005(**7**) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 3(3) (time for making an application for a review decision)—

(a) the word “or” after sub-paragraph (i) shall be omitted; and

(b) after sub-paragraph (j) there shall be added—

"or

(k) the issue of a validation notice under regulation 2(5) of the Pension Protection Fund (Entry Rules) Regulations (Northern Ireland) 2005(**8**) (schemes which are not eligible schemes)”.

(3) In the Schedule (interested person)—

(a) after paragraph 3 there shall be inserted the following paragraph—

(**4**) S.R. 2006 No. 155
(**5**) Paragraph 17A was inserted by regulation 4(b) of S.R. 2005 No. 127
(**6**) S.R. 2005 No. 127, to which there are amendments not relevant to these Regulations
(**7**) S.R. 2005 No. 138, to which there are amendments not relevant to these Regulations
(**8**) S.R. 2005 No. 126; regulation 2(5) was amended by regulation 2(3)(c) of S.R. 2005 No. 364