STATUTORY RULES OF NORTHERN IRELAND

2006 No. 140

PENSIONS

The Pension Protection Fund (Provision of Information) (Amendment) Regulations (Northern Ireland) 2006

Made - - - -	*16th 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 172, 185(1) and 287(2) and (3) of the Pensions (Northern Ireland) Order 2005(**1**).

Citation and commencement

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

Amendment of the Pension Protection Fund (Provision of Information) Regulations

2.—(1) The Pension Protection Fund (Provision of Information) Regulations (Northern Ireland) 2005(**2**) shall be amended in accordance with paragraphs (2) to (5).

(2) In regulation 3 (information to be provided by the Board)—

(a) in paragraph (2) for "within the period of 28 days beginning with its receipt of that notice" there shall be substituted "within the period specified in paragraph (12)";

(b) after paragraph (2) there shall be inserted the following paragraphs—

"(2A) This paragraph applies where the Board receives a notice under Article 104(2) from an insolvency practitioner that an insolvency event has occurred in relation to an employer, and—

(a) the scheme to which the notice relates is not an eligible scheme; or

(b) the section of the segregated scheme to which the notice relates is not an eligible section.

(2B) Where paragraph (2A) applies, the Board shall, within the period specified in paragraph (12), inform—

(**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**) S.R. 2005 No.129; relevant amending Regulations are S.R. 2005 No. 381

(a) the Regulator;

(b) the trustees or managers of that scheme or section of a segregated scheme; and

(c) that insolvency practitioner,

that the scheme is not an eligible scheme or, as the case may be, the section is not an eligible section."; and

(c) after paragraph (8)(**3**) there shall be added the following paragraphs—

"(9) Where the Board receives—

(a) an application under Article 113(1) (applications and notifications for the purposes of Article 112) from the trustees or managers; or

(b) a notice under Article 113(4) from the Regulator,

it shall provide the information described in paragraph (10) to the persons specified in paragraph (11) within the period specified in paragraph (12).

(10) The information to be provided under paragraph (9) is—

(a) where the scheme is not an eligible scheme, that the scheme is not such a scheme;

(b) where the scheme is an eligible scheme, that the scheme is such a scheme and the date on which the assessment period began;

(c) where the section of the segregated scheme to which the application or, as the case may be, the notice relates is not an eligible section, that the section of the segregated scheme is not such a section; or

(d) where the section of the segregated scheme to which the application or, as the case may be, the notice relates is an eligible section, that the section of the segregated scheme is such a section and the date on which the assessment period began.

(11) The persons specified in this paragraph are—

(a) the Regulator;

(b) the trustees or managers of that scheme or section of a segregated scheme;

(c) the employer who is the employer in relation to that scheme or section of a segregated scheme; and

(d) the insolvency practitioner in relation to that employer.

(12) The Board shall provide the information specified in paragraph (3) or (10) within the period of 28 days beginning with—

(a) the date on which it receives the notice under Article 104(2);

(b) the date on which it receives the application under Article 113(1);

(c) the date on which it receives the notice under Article 113(4);

(d) where the Board requires the—

(i) Regulator,

(ii) insolvency practitioner, or

(iii) trustees or managers,

to produce a document or provide information in connection with a notice given under Article 104(2) or 113(4) or, as the case may be, an application under Article 113(1), the date on which the document is produced to, or the

(**3**) Paragraph (8) was added by regulation 22(3) of S.R. 2005 No. 381