STATUTORY RULES OF NORTHERN IRELAND

2006 No. 95 (C. 7)

PENSIONS

The Pensions (2005 Order) (Commencement No. 9) Order (Northern Ireland) 2006

Made - - - - 8th March 2006

The Department for Social Development makes the following Order in exercise of the powers conferred by Article 1(2) of the Pensions (Northern Ireland) Order 2005(**1**).

Citation and interpretation

1.—(1) This Order may be cited as the Pensions (2005 Order) (Commencement No. 9) Order (Northern Ireland) 2006.

(2) In this Order "the Order" means the Pensions (Northern Ireland) Order 2005.

Appointed days

2. The day appointed for the coming into operation of the provisions of the Order specified in—

(a) Part 1 of the Schedule—

(i) for the purpose only of authorising the making of regulations, is 9th March 2006, and

(ii) for all other purposes, is 6th April 2006;

(b) Part 2 of the Schedule is 1st April 2006, and

(c) Part 3 of the Schedule is 6th April 2006.

(**1**) S.I.2005/255 (N.I. 1)

Sealed with the Official Seal of the Department for Social Development on 8th March 2006.

Philip Angus
A senior officer of the
Department for Social Development

SCHEDULE Article 2

PART 1

PROVISIONS OF THE ORDER COMING INTO OPERATION ON 9th MARCH 2006 FOR THE PURPOSE ONLY OF AUTHORISING THE MAKING OF REGULATIONS, AND ON 6th APRIL 2006 FOR ALL OTHER PURPOSES

Provisions of the Order	*Subject Matter*
Article 226(2)	Requirement for knowledge and understanding: supplementary
Articles 227 and 228	Payment of surplus to employer and transitional power to amend scheme

PART 2

PROVISIONS OF THE ORDER COMING INTO OPERATION ON 1st APRIL 2006

Provisions of the Order	*Subject Matter*
Article 135(8), in so far as not already in operation	Application for reconsideration
Article 160(8), in so far as not already in operation	Amounts to be raised by the pension protection levies

PART 3

PROVISIONS OF THE ORDER COMING INTO OPERATION ON 6th APRIL 2006

Provisions of the Order	*Subject Matter*
Article 14, in so far as not already in operation	Pension liberation: interpretation
Article 81, in so far as not already in operation	Disclosure for facilitating exercise of functions by other supervisory authorities
Article 100	Disclosure of information
Article 144(7), in so far as not already in operation	Transfer notice
Article 149	Guaranteed minimum pensions
Article 153(1) and (2)(a) to (c)	Discharge of liabilities in respect of compensation
Article 186, in so far as not already in operation	Articles 172 to 185: interpretation
Articles 224 and 225, and 226, in so far as not already in operation	Requirement for knowledge and understanding: individual trustees, corporate trustees and supplementary

Provisions of the Order	*Subject Matter*
Article 231	Representative of non-European scheme to be treated as trustee
Article 244	Voluntary contributions
Article 245	Payments made by employers to personal pension schemes
Article 279(2)(j) and (k), (4) and (5)	Overriding requirements
Article 294	Pre-consolidation amendments
Schedule 4, paragraph 2(2), in so far as not already in operation, and Article 101(3) in so far as it relates to that paragraph	The Board of the Pension Protection Fund: delegation
Schedule 10, paragraphs 2, 5, 6, 7(1), in so far as it relates to sub-paragraph (2), and (2), 10 to 13, 17, 18, 22, 24, 28, 42, 51(a) to (c), and (d) in so far as it relates to the omission of "either of", and 52, 56 in so far as not already in operation, 58, 59, 65 and 70(3), in so far as not already in operation, and Article 290(1) in so far as it relates to those paragraphs	Consequential amendments

Schedule 11, in so far as it relates to the repeals there specified in relation to—
the Pension Schemes (Northern Ireland) Act 1993, sections 107, 107A(10), 107(B), 128, 144(4)(ba) and (bb), 145(1), (1A), (1B), (3), (6) and (8), 147(1) and (3), 154 and 172(6)(b) and in section 176(1) the definition of "voluntary contribution requirements" and Schedule 8;
the Pensions (Northern Ireland) Order 1995, Articles 38(2)(b), 69, 71A(4), 72B(7) and (8)(b), 76, 85(5)(a), 86(4)(a), 115(3), 116, 121(1) in so far as it relates to the definitions of "member-nominated director" and "member-nominated trustee" and 139(5) and paragraphs 10 and 36(a)(ii) of Schedule 1 and Schedule 4;
the Welfare Reform and Pensions (Northern Ireland) Order 1999, paragraphs 2(1)(a) and 11 of Schedule 2 and paragraph 28(3) of Schedule 9;
the Child Support, Pensions and Social Security Act (Northern Ireland) 2000, section 38(7) and paragraphs 9 and 10(2), (3) and (4) of Schedule 5 and Schedule 9,
 	
and Article 291 in so far as it relates to those provisions
	Repeals

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order provides for the coming into operation of provisions of the Pensions (Northern Ireland) Order 2005 as follows—

9th March 2006 for provisions relating to the obligations of trustees of occupational pension schemes for the purpose only of authorising the making of regulations, and for all other purposes, on 6th April 2006;

1st April 2006 for provisions relating to applications for reconsideration and amounts to be raised by the pension protection levies, and

6th April 2006 for provisions relating to the Pensions Regulator, the Board of the Pension Protection Fund, other miscellaneous provisions, consequential amendments and repeals.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order.)

The following provisions of the Pensions (Northern Ireland) Order 2005 have been brought into operation by earlier commencement orders as from the dates shown.

Provision	*Date of Commencement*	*S.R. No.*
Article 2 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
(partially)	1st June 2005	2005 No. 280 (C. 20)
Article 3 (partially)	25th February 2005, 1st April 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 4 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 5	25th February 2005	2005 No. 48 (C. 5)
Article 6	6th April 2005	2005 No. 48 (C. 5)
Article 7 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
(partially)	6th April 2005	2005 No. 166 (C. 12)
Article 8 (partially)	25th February 2005	2005 No. 48 (C. 5)
Articles 9 to 13	6th April 2005	2005 No. 48 (C. 5)
Article 14 (partially)	6th April 2005	2005 No. 48 (C. 5)
Article 15 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 16 (partially)	6th April 2005	2005 No. 48 (C. 5)