This Statutory Rule has been printed in consequence of defects contained in S.R. 2005 Nos. 91, 126, 138 and 173 and is being issued free of charge to all known recipients of those Rules.

STATUTORY RULES OF NORTHERN IRELAND

2005 No. 194

PENSIONS

The Pension Protection Fund and Pensions Regulator (Amendment) Regulations (Northern Ireland) 2005

Made - - - -	*5th April 2005*
Coming into operation	*6th April 2005*

The Department for Social Development, in exercise of the powers conferred on it by Articles 2(5)(a), 34(1)(b), 48(1)(b), 106(5)(a) and (8), 110(1)(b), 119(4), 123(6), 135(4)(b)(ii), 189(1), (2) and (5)(b), (d) and (e), 280(1)(b) and (2)(b) and 287(3) of the Pensions (Northern Ireland) Order 2005(**1**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Pension Protection Fund and Pensions Regulator (Amendment) Regulations (Northern Ireland) 2005 and shall come into operation on 6th April 2005.

Amendment of the Pension Protection Fund (Multi-employer Schemes) (Modification) Regulations

2.—(1) The Pension Protection Fund (Multi-employer Schemes) (Modification) Regulations (Northern Ireland) 2005(**2**) shall be amended in accordance with paragraphs (2) to (7).

(2) In regulation 1(3)(a) and (b) (citation, commencement and interpretation) the words "or category" shall be omitted.

(3) In regulations 10(2)(a) (reconsideration and duty to assume responsibility for a scheme following reconsideration), 25(2)(a) (reconsideration, closed schemes and requirement to wind up schemes with sufficient assets to meet protected liabilities), 40(2)(b) (reconsideration) and 56(2)(b) (reconsideration) in the substituted paragraph (2)(b) for "paragraph (2) of Article 135" there shall be substituted "paragraph (2) or (3) of Article 135".

(4) In regulations 29(2)(d)(ii) (notification of insolvency events, confirmation of scheme status etc.), 32(d)(ii) (Board's duty where application or notification received under Article 113), 46(2)(d)

(**1**) S.I.2005/255 (N.I. 1); the Pensions (Northern Ireland) Order 2005 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

(**2**) S.R. 2005 No. 91

(ii) (notification of insolvency events, confirmation of scheme status etc.) and 49(d)(ii) (Board's duty where application or notification received under Article 113) before "part" there shall be inserted "segregated".

(5) In regulation 41 (closed schemes and requirements to wind up schemes with sufficient assets) for the heading there shall be substituted "Closed schemes, requirement to wind up schemes with sufficient assets and applications and notifications where closed schemes have insufficient assets".

(6) In regulation 57 (closed schemes and requirement to wind up schemes with sufficient assets) for the heading there shall be substituted "Closed schemes, requirement to wind up schemes with sufficient assets and applications and notifications where closed schemes have insufficient assets".

(7) In regulation 62(3) for sub-paragraph (c) there shall be substituted –

"(c) in paragraph (4)(e) for "in relation to the employer, the employer" there were substituted "in relation to an employer, that employer"; and".

Amendment of the Pension Protection Fund (Entry Rules) Regulations

3.—(1) The Pension Protection Fund (Entry Rules) Regulations (Northern Ireland) 2005(**3**) shall be amended in accordance with paragraphs (2) to (7).

(2) In regulation 2 (schemes which are not eligible schemes) –

(a) paragraph (1)(e) shall be omitted; and

(b) in paragraph (1)(f), for "but which is not" there shall be substituted "but which is neither a tax approved scheme nor".

(3) In regulation 9(1) (confirmation of scheme status by insolvency practitioner) for "the scheme" where it first appears, there shall be substituted "an occupational pension scheme".

(4) In regulation 13(1) (confirmation of scheme status – binding notices) –

(a) for "a scheme" there shall be substituted "an occupational pension scheme"; and

(b) for "practitioners" there shall be substituted "practitioner's".

(5) In regulation 16 (restrictions on winding up, discharge of liabilities etc.) –

(a) in paragraph (1)(a) and (b), for "trustees or managers of the scheme", in each place where it occurs, there shall be substituted "trustees or managers of an eligible scheme"; and

(b) in paragraph (2), for "a scheme", in each place where it occurs, there shall be substituted "an eligible scheme".

(6) In regulation 18 (loans to pay scheme benefits) –

(a) in paragraph (3), in paragraph (a) of the definition of "reference banks", for "deposits;" there shall be substituted "deposits, and"; and

(b) in paragraph (4), for "Paragraph (3)(b)" there shall be substituted "In paragraph (3), paragraph (b) of the definition of "reference banks"".

(7) In regulation 24(1)(b)(ii) (applications for reconsideration) for "on any day" there shall be substituted "with any day".

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(**4**) shall be amended in accordance with paragraphs (2) to (4).

(**3**) S.R. 2005 No. 126
(**4**) S.R. 2005 No. 138