STATUTORY RULES OF NORTHERN IRELAND

2005 No. 192 (C. 14)

PENSIONS

The Pensions (2005 Order) (Commencement No. 3, Appointed Day, Transitional Provisions and Amendment) Order (Northern Ireland) 2005

Made - - - - 5th April 2005

The Department for Social Development, in exercise of the powers conferred on it by Articles 1(2) and (6), 86(7) 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 Order:

Citation and interpretation

1.—(1) This Order may be cited as the Pensions (2005 Order) (Commencement No. 3, Appointed Day, Transitional Provisions and Amendment) Order (Northern Ireland) 2005.

(2) In this Order –

"the Order" means the Pensions (Northern Ireland) Order 2005;

"the Winding Up Regulations" means the Occupational Pension Schemes (Winding Up) Regulations (Northern Ireland) 1996(**2**).

Appointed days

2.—(1) The day appointed for the purposes of Article 86(7) of the Order (procedures for issue and publication of codes of practice) for the coming into effect of the Pensions Regulator Code of Practice No. 1: Reporting breaches of the law is 6th April 2005.

(2) Subject to paragraph (3) the day appointed for the coming into operation of the provisions specified in the Schedule is 6th April 2005.

(3) Notwithstanding the repeals in Article 74 of the 1995 Order (discharge of liabilities by insurance, etc.) mentioned in the Schedule, that Article shall continue to have effect as it applied immediately before 6th April 2005 to any scheme which –

(a) was regarded at that time by virtue of regulation 2 of the Winding Up Regulations as having begun to be wound up for the purposes of those Regulations, or

(**1**) S.I. 2005/255 (N.I. 1)
(**2**) S.R. 1996 No. 621; relevant amending regulations are S.R. 1997 No. 160

(b) in accordance with Article 121(4) to (8)(**3**) of the 1995 Order began to wind up before that date.

(4) In paragraph (3) the reference to a scheme includes a reference to any section of a scheme to which Article 74 of the 1995 Order applies as if it were a scheme by virtue of regulation 12(**4**) of the Winding Up Regulations.

Amendment of the Pensions (2005 Order) (Commencement No. 2 and Transitional Provisions) Order

3. In Schedule 3 to the Pensions (2005 Order) (Commencement No. 2 and Transitional Provisions) Order (Northern Ireland) 2005(**5**) (provisions referred to in Article 5 which are to continue to have effect as if they were in operation immediately before their amendment or repeal by the Order) after the entry in the table relating to Article 101 –

(a) in the first column there shall be inserted "Article 121(1)", and

(b) in the second column there shall be inserted "Interpretation of Part II".

Sealed with the Official Seal of the Department for Social Development on 5th April 2005.

John O'Neill
A senior officer of the
Department for Social Development

(**3**) Article 121(4) to (8) was inserted by section 45(2) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4 (N.I.))
(**4**) Regulation 12 was amended by paragraph 12 of the Schedule to S.R. 1997 No. 160
(**5**) S.I. 2005 No. 166 (C. 12)

SCHEDULE Article 2(2)

PROVISIONS OF THE ORDER COMING INTO OPERATION ON 6th APRIL 2005

Provisions of the Order	*Subject matter*
Article 148	Postponement of compensation entitlement for the assessment period
The following repeals in Schedule 11 and Article 291 in so far as it relates to them – the Pensions (Northern Ireland) Order 1995, Articles 74 and 75(9)	Repeals

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order makes further provision for the coming into operation of the Pensions (Northern Ireland) Order 2005 ("the Order").

Article 1 provides for citation and interpretation.

Article 2 appoints the day, for the purposes of Article 86(7) of the Order, for the coming into effect of the Pensions Regulator Code of Practice No. 1: Reporting breaches of the law as 6th April 2005. It also appoints the day for the coming into operation of certain other miscellaneous provisions set out in the Schedule as 6th April 2005. Article 2 also makes a transitional saving in respect of the repeals in Article 74 of the Pensions (Northern Ireland) Order 1995 made by Schedule 11 to the Order.

Article 3 amends the Pensions (2005 Order) (Commencement No. 2 and Transitional Provisions) Order (Northern Ireland) 2005 ("the No. 2 Order"). For the purposes of Article 5 of the No. 2 Order, Article 3 adds Article 121(1) of the Pensions (Northern Ireland) Order 1995 to the list of provisions specified in the table in Schedule 3 to the No. 2 Order which shall continue to have effect for particular purposes as they were in operation immediately before their amendment or repeal by the Order.

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 the Pensions (2005 Order) (Commencement No. 1 and Consequential and Transitional Provisions) Order (Northern Ireland) 2005 and the Pensions (2005 Order) (Commencement No. 2 and Transitional Provisions) Order (Northern Ireland) 2005 on the dates shown.

Provision	*Date of Commencement*	*S.R. No.*
Article 2 (partially)	25th February 2005	2005 No. 48 (C. 5)
(partially)	6th April 2005	2005 No. 48 (C. 5)

Provision	*Date of Commencement*	*S.R. No.*
Article 3 (partially)	25th February 2005	2005 No. 48 (C. 5)
(partially)	6th April 2005	2005 No. 48 (C. 5)
Article 4 (partially)	25th February 2005	2005 No. 48 (C. 5)
(partially)	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	2005 No. 48 (C. 5)
(partially)	6th April 2005	2005 No. 48 (C. 5)
	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	2005 No. 48 (C. 5)
	6th April 2005	2005 No. 48 (C. 5)
Article 16 (partially)	6th April 2005	2005 No. 48 (C. 5)
Article 17 (partially)	25th February 2005	2005 No. 48 (C. 5)
	6th April 2005	2005 No. 48 (C. 5)
Article 18	6th April 2005	2005 No. 48 (C. 5)
Article 19 (partially)	25th February 2005	2005 No. 48 (C. 5)
	6th April 2005	2005 No. 48 (C. 5)
Article 20 (partially)	25th February 2005	2005 No. 48 (C. 5)
	6th April 2005	2005 No. 48 (C. 5)
Articles 21 to 25	6th April 2005	2005 No. 48 (C. 5)
Article 26 (partially)	25th February 2005	2005 No. 48 (C. 5)
	6th April 2005	2005 No. 48 (C. 5)
Articles 27 to 31	6th April 2005	2005 No. 48 (C. 5)
Article 32 (partially)	25th February 2005	2005 No. 48 (C. 5)
	6th April 2005	2005 No. 48 (C. 5)
Article 33	6th April 2005	2005 No. 48 (C. 5)
Article 34 (partially)	25th February 2005	2005 No. 48 (C. 5)
(partially)	6th April 2005	2005 No. 48 (C. 5)
Articles 35 and 36	6th April 2005	2005 No. 48 (C. 5)
Article 37 (partially)	6th April 2005	2005 No. 48 (C. 5)
Article 38 (partially)	6th April 2005	2005 No. 48 (C. 5)

Provision	*Date of Commencement*	*S.R. No.*
Article 39 (partially)	25th February 2005	2005 No. 48 (C. 5)
(partially)	6th April 2005	2005 No. 48 (C. 5)
Articles 40 and 41 (partially)	25th February 2005	2005 No. 48 (C. 5)
	6th April 2005	2005 No. 48 (C. 5)
Article 42	6th April 2005	2005 No. 48 (C. 5)
Article 43 (partially)	6th April 2005	2005 No. 48 (C. 5)
Articles 44 and 45	6th April 2005	2005 No. 48 (C. 5)
Article 46 (partially)	6th April 2005	2005 No. 48 (C. 5)
Article 47	6th April 2005	2005 No. 48 (C. 5)
Article 48 (partially)	25th February 2005	2005 No. 48 (C. 5)
	6th April 2005	2005 No. 48 (C. 5)
Articles 49 to 52	6th April 2005	2005 No. 48 (C. 5)
Article 53 (partially)	25th February 2005	2005 No. 48 (C. 5)
	6th April 2005	2005 No. 48 (C. 5)
Article 54	6th April 2005	2005 No. 48 (C. 5)
Article 55 (partially)	25th February 2005	2005 No. 48 (C. 5)
(partially)	1st April 2005	2005 No. 48 (C. 5)
	6th April 2005	2005 No. 48 (C. 5)
Article 56 (partially)	25th February 2005	2005 No. 48 (C. 5)
	6th April 2005	2005 No. 48 (C. 5)
Articles 57 to 63	6th April 2005	2005 No. 48 (C. 5)
Article 64 (partially)	25th February 2005	2005 No. 48 (C. 5)
	6th April 2005	2005 No. 48 (C. 5)
Articles 65 to 80	6th April 2005	2005 No. 48 (C. 5)
Article 81 (partially)	6th April 2005	2005 No. 48 (C. 5)
Articles 82 to 84	6th April 2005	2005 No. 48 (C. 5)
Article 85 (partially)	6th April 2005	2005 No. 48 (C. 5)
Article 86 (partially)	25th February 2005	2005 No. 48 (C. 5)
	6th April 2005	2005 No. 48 (C. 5)
Article 87	6th April 2005	2005 No. 48 (C. 5)
Article 88 (partially)	25th February 2005	2005 No. 48 (C. 5)
	6th April 2005	2005 No. 48 (C. 5)
Article 89	6th April 2005	2005 No. 48 (C. 5)
Article 90 (partially)	6th April 2005	2005 No. 48 (C. 5)