STATUTORY RULES OF NORTHERN IRELAND

1996 No. 508

PENSIONS

The Personal Pension Schemes (Appropriate Schemes and Disclosure of Information) (Miscellaneous Amendments) Regulations (Northern Ireland) 1996

Made - - - -	*28th October 1996*
Coming into operation	*6th April 1997*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 39(1) and (3), 41B, 109(1), 177(2) to (4) and 178(1) of the Pension Schemes (Northern Ireland) Act 1993(**1**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Personal Pension Schemes (Appropriate Schemes and Disclosure of Information) (Miscellaneous Amendments) Regulations (Northern Ireland) 1996 and shall come into operation on 6th April 1997.

(2) The Interpretation Act (Northern Ireland) 1954(**2**) shall apply to these Regulations as it applies to a Measure of the Assembly.

Amendment of the Personal Pension Schemes (Disclosure of Information) Regulations

2.—(1) The Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 1987(**3**) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 5(2)(**4**) (information to be made available to individuals) for "paragraphs 1 and 2" there shall be substituted "paragraphs 1, 2 and 12".

(3) In Schedule 2 (information to be made available to individuals) after paragraph 11 there shall be added—

(**1**) 1993 c. 49; section 41B was inserted by Article 136 of the Pensions (Northern Ireland) Order 1995 (S.I.1995/3213 (N.I. 22))
(**2**) 1954 c. 33 (N.I.)
(**3**) S.R. 1987 No. 288; relevant amending regulations are S.R. 1992 No. 304
(**4**) Regulation 5(2) was amended by regulation 20(*a*) of S.R. 1992 No. 304

"**12.** The date of birth used for determining the appropriate age-related percentage for the purposes of section 41(1) of the Act(**5**) as disclosed to the trustees by the Department and the name and address of whom to contact should that date of birth be incorrect.".

Amendment of the Personal Pension Schemes (Appropriate Schemes) Regulations

3.—(1) The Personal Pension Schemes (Appropriate Schemes) Regulations (Northern Ireland) 1988(**6**) shall be amended in accordance with paragraphs (2) to (4).

(2) In regulation 1(2)(**7**) (interpretation)—

(a) after the definition of "the Order" there shall be inserted—

> ""overseas arrangement" means a scheme or arrangement, other than an occupational pension scheme, which—
>
> (a) has effect, or is capable of having effect, so as to provide benefits on termination of employment or on death or retirement to, or in respect of, earners;
>
> (b) is not an appropriate personal pension scheme, and
>
> (c) is administered wholly or primarily outside the United Kingdom;
>
> "overseas scheme" means an occupational pension scheme which is administered wholly or primarily outside the United Kingdom but does not include one which is contracted-out within the meaning of section 3(3)(**8**) nor one to which section 49(**9**) applies;";

(b) for the definition of "pensionable age" there shall be substituted—

> ""pensionable age" has the meaning given by the rules in paragraph 1 of Schedule 2 to the Pensions (Northern Ireland) Order 1995(**10**);", and

(c) in the definition of "scheme" after ""occupational pension scheme"" there shall be inserted ", "overseas scheme"".

(3) For regulation 14(**11**) (circumstances in which minimum contributions are not to be paid to schemes) there shall be substituted—

> "**14.**—(1) Minimum contributions shall not be paid in respect of an earner for the tax year or any part of the tax year in which that earner—
>
> (a) reaches pensionable age, or
>
> (b) dies and in which he would have reached pensionable age.
>
> (2) Where effect has been given to the earner's protected rights under section 24(**12**) (ways of giving effect to protected rights), minimum contributions shall not, except as provided by paragraphs (3) to (9), be paid in respect of the period during which the scheme was the earner's chosen scheme.
>
> (3) Where effect has been given to the earner's protected rights by the making of a transfer payment to another appropriate scheme which has become the earner's chosen

(**5**) Section 41(1) is substituted by Article 135(2) of the Pensions (Northern Ireland) Order 1995
(**6**) S.R. 1988 No. 34; relevant amending regulations are S.R. 1993 No. 126, S.R. 1994 No. 300 and S.R. 1995 No. 7
(**7**) Regulation 1(2) was amended by paragraph 19(2) of Schedule 2 to S.R. 1994 No. 300 and regulation 7(*a*) of S.R. 1995 No. 7
(**8**) Section 3 is amended by Article 133(1) of, and paragraph 15 of Schedule 3 to, the Pensions (Northern Ireland) Order 1995
(**9**) Section 49 is amended by paragraph 40 of Schedule 3 to the Pensions (Northern Ireland) Order 1995
(**10**) S.I. 1995/3213 (N.I. 22)
(**11**) Regulation 14 was amended by paragraph 19(7) and (10) of Schedule 2 to S.R. 1994 No. 300
(**12**) Section 24 is amended by Articles 139 and 143(2) of, and paragraph 27 of Schedule 3 to, the Pensions (Northern Ireland) Order 1995