1991 No. 409

SOCIAL SECURITY

The Occupational Pension Schemes (Independent Trustee) (Amendment) Regulations (Northern Ireland) 1991

Made . . . . . *4th September 1991*

Coming into operation . . *1st October 1991*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 63D(9) of the Social Security Pensions (Northern Ireland) Order 1975(**a**) 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 Occupational Pension Schemes (Independent Trustee) (Amendment) Regulations (Northern Ireland) 1991 and shall come into operation on 1st October 1991.

(2) In these regulations "the principal regulations" means the Occupational Pension Schemes (Independent Trustee) Regulations (Northern Ireland) 1990(**b**).

Insertion of regulation 4A in the principal regulations

2. After regulation 4 of the principal regulations (paid-up schemes) there shall be inserted the following regulation—

"Cases where a partnership is the employer

4A.—(1) Articles 63C and 63D are modified as described in this regulation in their application to any case where—

(*a*) a partnership is the employer, or one of the employers, in relation to an occupational pension scheme;

(*b*) the partnership is insolvent; and

(*c*) the High Court has jurisdiction to wind up the insolvent partnership(**c**).

(2) Article 63C(1) applies in relation to the scheme—

(*a*) if a person commences to act as an insolvency practitioner in relation to the insolvent partnership; or

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(**a**) S.I. 1975/1503 (N.I. 15); by virtue of Article 2(3) definitions in Schedule 17 to the Social Security (Northern Ireland) Act 1975 (c. 15) apply to the exercise of certain powers conferred under this Order. Article 63D was inserted by paragraph 1 of Schedule 4 to the Social Security (Northern Ireland) Order 1990 (S.I. 1990/1511 (N.I. 15))

(**b**) S.R. 1990 No. 384

(**c**) See Part VI of the Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19)) and S.R. 1991 No. 366