1988 No. 107

SOCIAL SECURITY

The Personal and Occupational Pension Schemes (Tax Approval and Miscellaneous Provisions) Regulations (Northern Ireland) 1988

Made	*25th March 1988*
Coming into operation—	
regulations 1 to 4, 6 to 9	*6th April 1988*
regulation 5—	
for the purposes of occupational pension schemes	*6th April 1988*
for the purposes of personal pension schemes	*1st July 1988*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 53C(5) and 58A(1) (as modified by paragraph 1 of Schedule 2 to the Personal and Occupational Pension Schemes (Modification of Enactments) Regulations (Northern Ireland) 1987(**a**)) and (3) of, and paragraph 13 (as modified by paragraph 9 of Schedule 4 to the Personal and Occupational Pension Schemes (Modification of Enactments) Regulations (Northern Ireland) 1987) of Schedule 1A to, the Social Security Pensions (Northern Ireland) Order 1975(**b**) and Articles 2(2) and 18(1) of, and paragraphs 3 and 7(2) (both as modified by Article 34(2B) of the Social Security Pensions (Northern Ireland) Order 1975(**b**)) and 9(8) of Schedule 1 to, the Social Security (Northern Ireland) Order 1986(**c**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1.—(1) These regulations may be cited as the Personal and Occupational Pension Schemes (Tax Approval and Miscellaneous Provisions) Regulations (Northern Ireland) 1988.

(2) Subject to paragraph (3), these regulations shall come into operation as follows—

(a) S.R. 1987 No. 294

(b) S.I 1975/1503 (N.I. 15); Article 34(2B) is inserted by paragraph 6(*b*) of Schedule 2 to the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888 (N.I. 18)); Article 53C was inserted by paragraph 2 of Schedule 1 to the Social Security (Northern Ireland) Order 1985 (S.I. 1985/1209 (N.I. 16)) and amended by paragraph 17 of Schedule 9 to the Social Security (Northern Ireland) Order 1986; Article 58A was inserted by Schedule 2 to the Social Security (Northern Ireland) Order 1985; Schedule 1A was inserted by paragraph 3 of Schedule 1 to the Social Security (Northern Ireland) Order 1985 and paragraph 13 of Schedule 1A was amended by paragraph 24(*c*) of Schedule 9 to the Social Security (Northern Ireland) Order 1986. *See also* Article 2(3)

(c) S.I. 1986/1888 (N.I. 18)

(*a*) regulations 1 to 4 and 6 to 9 on 6th April 1988; and

(*b*) regulation 5—

(i) for the purposes of occupational pension schemes on 6th April 1988, and

(ii) for the purposes of personal pension schemes on 1st July 1988.

(3) Regulation 2 shall come into operation on 6th April 1988 immediately after regulation 6(5) of the Personal and Occupational Pension Schemes (Consequential Provisions) Regulations (Northern Ireland) 1987(**a**) comes into operation and regulation 4 and, for the purposes of occupational pension schemes, regulation 5 and, for all purposes, regulation 9 shall come into operation on 6th April 1988 immediately after the provisions which they amend come into operation.

Amendment of the Occupational Pension Schemes (Discharge of Liability) Regulations (Northern Ireland) 1985

2. In regulation 5(*a*) of the Occupational Pension Schemes (Discharge of Liability) Regulations (Northern Ireland) 1985(**b**) the words "or her widower" shall be omitted.

Amendment of the Occupational Pension Schemes (Transfer Values) Regulations (Northern Ireland) 1985

3. Regulation 2 of the Occupational Pension Schemes (Transfer Values) Regulations (Northern Ireland) 1985(**c**) shall be amended in accordance with paragraphs (*a*) and (*b*)—

(*a*) in paragraph (1)(*b*) for "either" there shall be substituted "any" and for "(*a*) and (*b*)" there shall be substituted "(*a*), (*b*) or (*e*)"; and

(*b*) in paragraph (3)—

(i) in sub-paragraph (*c*) at the end "and" shall be omitted,

(ii) in sub-paragraph (*d*) at the end for the full-stop there shall be substituted "; and", and

(iii) after sub-paragraph (*d*) there shall be inserted the following sub-paragraph—

"(*e*) a scheme which is approved by the Commissioners of Inland Revenue under Chapter IV of Part XIV of the Income and Corporation Taxes Act 1988(**d**),".

Amendment of the Money Purchase Contracted-out Schemes Regulations (Northern Ireland) 1987

4. For paragraph 4 of the Schedule to the Money Purchase Contracted-out Schemes Regulations (Northern Ireland) 1987(**e**) there shall be substituted the following paragraph—

(**a**) S.R. 1987 No. 292
(**b**) S.R. 1985 No. 356; the words omitted by regulation 2 were inserted by S.R. 1987 No. 292, regulation 6(5)
(**c**) S.R. 1985 No. 358; the relevant amending regulations are S.R. 1986 No. 362 and S.R. 1987 No. 285
(**d**) 1988 c. 1
(**e**) S.R. 1987 No. 279

"4. An interest-bearing account (including, in the case of a building society, a share or deposit account) with—

(*a*) a building society as defined in the Building Societies Act 1986(**a**);

(*b*) a pension company within the meaning of the Building Societies (Designation of Pension Companies) Order 1987(**b**) which is an associated body of a building society within the meaning of section 18(17) of the Building Societies Act 1986;

(*c*) an institution authorised under Part I of the Banking Act 1987(**c**).".

Amendment of the Pension Schemes (Voluntary Contributions Requirements and Voluntary and Compulsory Membership) Regulations (Northern Ireland) 1987

5. After regulation 2 of the Pension Schemes (Voluntary Contributions Requirements and Voluntary and Compulsory Membership) Regulations (Northern Ireland) 1987(**d**) there shall be inserted the following regulation—

"Provisions of the Income and Corporation Taxes Act 1988 under which tax-exemption or tax-approval may be given for the purposes of Article 14

2A. For the purposes of Article 14 (which exempts scheme rules from the need to comply with that Article to the extent necessary to qualify for tax-exemption or tax-approval) ''tax-exemption'' and ''tax-approval'' mean respectively exemption from tax and approval of the Inland Revenue under either Chapter I or Chapter IV of Part XIV of the Income and Corporation Taxes Act 1988.".

Amendment of the Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 1987

6. The Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 1987(**e**) shall be amended in accordance with paragraphs (*a*) to (*e*)—

(*a*) in regulation 4(5) after "4" there shall be inserted ",5A";

(*b*) in regulation 4(6) after "3," there shall be inserted "5B,";

(*c*) in regulation 5(3) for "Where the scheme is not" there shall be substituted "Whether or not the scheme is or has been";

(*d*) after paragraph 5 of Schedule 1 there shall be inserted the following paragraphs—

"5A. Whether the scheme is approved by the Commissioners of Inland Revenue either—

(*a*) as a personal pension scheme under Chapter IV of Part XIV of the Income and Corporation Taxes Act 1988; or

---

(**a**) 1986 c. 53
(**b**) S.I. 1987/1871
(**c**) 1987 c. 22
(**d**) S.R. 1987 No. 286
(**e**) S.R. 1987 No. 288