
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 267

PENSIONS

The Occupational Pension Schemes (Validation of Rule Alterations) Regulations (Northern Ireland) 1998

Made - - - - *29th July 1998*

Coming into operation *26th August 1998*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 33(2) and 177(4) 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 Occupational Pension Schemes (Validation of Rule Alterations) Regulations (Northern Ireland) 1998 and shall come into operation on 26th August 1998.

(2) In these Regulations—

“Board” means the Occupational Pensions Board established under section 66 of the Social Security Act 1973(2) and dissolved by section 150(1) of the Pensions Act 1995(3), and

“contracted-out scheme” includes a scheme which has ceased to be contracted-out so long as any person is entitled to receive, or has accrued rights to, any benefits under the scheme attributable to a period when the scheme was contracted-out.

(3) The Interpretation Act (Northern Ireland) 1954(4) shall apply to these Regulations as it applies to a Measure of the Assembly.

Validation of rule alterations made before 6th April 1997

2.—(1) This regulation applies to any alteration—

(a) made to the rules of a contracted-out scheme before 6th April 1997, and

(1) 1993 c. 49; section 33 was substituted by paragraph 32 of Schedule 3 to the Pensions (Northern Ireland) Order 1995 (S.I.1995/3213 (N.I. 22)) and subsection (2) of that section is modified by S.R. 1998 No. 227
(2) 1973 c. 38; section 66 was repealed by Part I of Schedule 5 to the Pension Schemes Act 1993 (c. 48), but the Occupational Pensions Board continued by virtue of section 2 of that Act
(3) 1995 c. 26
(4) 1954 c. 33 (N.I.)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(b) which was void immediately before that date by virtue of section 33(3) of the Pension Schemes (Northern Ireland) Act 1993 as then in operation.

(2) Where the trustees or managers of a contracted-out scheme apply to the Department in accordance with paragraph (3) for the validation of an alteration to which this regulation applies, the Department may, if satisfied that the Board had not refused before 6th April 1997 to consent to the alteration, validate the alteration with effect from the date when it was made.

(3) Any application for the purposes of this regulation shall be made by the trustees or managers to the Department in writing, and shall include a copy of the instrument by which the alteration was made, bearing the date on which the alteration was made.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland
on

L.S.

29th July 1998.

John O'Neill
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations provide for the retrospective validation by the Department of Health and Social Services of alterations made prior to 6th April 1997 to the rules of contracted-out occupational pension schemes and certain schemes which have ceased to be contracted-out.

Section 33(2) of the Pension Schemes (Northern Ireland) Act 1993, one of the enabling provisions under which these Regulations are made, was modified by the Occupational Pension Schemes (Modification of the Pension Schemes (Northern Ireland) Act 1993) Regulations (Northern Ireland) 1998 (S.R. 1998 No. 227) with effect from 20th July 1998.