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*Changes to legislation: Pensions Act (Northern Ireland) 2015, Paragraph 1 is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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## SCHEDULES

### SCHEDULE 18

#### POWER TO RESTRICT CHARGES OR IMPOSE REQUIREMENTS IN RELATION TO SCHEMES

##### *Power to restrict charges*

- 1.—(1) The Department may by regulations make provision—
- (a) prohibiting administration charges which are of a specified class or description, or which exceed specified limits, from being imposed on [<sup>F1</sup>members] of a relevant scheme;
  - (b) prohibiting a relevant scheme from containing provision under which administration charges which are of a specified class or description, or which exceed specified limits, will or may be imposed on [<sup>F2</sup>members] of the scheme.

“Specified” means specified in the regulations.

- (2) The regulations—
  - (a) may make provision for the manner of, and criteria for, determining whether an administration charge is of a specified class or description or exceeds specified limits;
  - (b) may provide for the determination to be made in accordance with guidance issued from time to time by the Department.

(3) The regulations may impose duties on the trustees or managers of a relevant scheme or others.

(4) The regulations may provide that a scheme is not a qualifying scheme in relation to a jobholder for the purposes of Part 1 of the Pensions (No. 2) Act if a provision of the regulations—

- (a) is contravened, or
- (b) is contravened in a way specified in the regulations.

(5) In this paragraph—

“administration charge”, in relation to a member of a pension scheme, means any of the following to the extent that they may be used to meet the administrative expenses of the scheme, to pay commission or in any other way that does not [<sup>F3</sup>constitute] the provision of pension benefits for or in respect

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of members [<sup>F4</sup>or the making of transfer payments with a view to acquiring rights or entitlements to pension benefits under different pension schemes] —

- (a) any payments made to the scheme by, or on behalf or in respect of, the member,
- (b) any income or capital gain arising from the investment of such payments, or
- (c) the value of the member's rights under the scheme;

“relevant scheme” means a pension scheme of a description specified in the regulations.

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#### Textual Amendments

- F1** Word in [Sch. 18 para. 1\(1\)\(a\)](#) substituted (11.2.2021 for specified purposes, 29.4.2022 in so far as not already in operation) by [Pension Schemes Act 2021 \(c. 1\), s. 131\(1\)\(3\)\(a\)](#), [Sch. 6 para. 25\(2\)](#); S.R. 2022/173, art. 2(c)
- F2** Word in [Sch. 18 para. 1\(1\)\(b\)](#) substituted (11.2.2021 for specified purposes, 29.4.2022 in so far as not already in operation) by [Pension Schemes Act 2021 \(c. 1\), s. 131\(1\)\(3\)\(a\)](#), [Sch. 6 para. 25\(2\)](#); S.R. 2022/173, art. 2(c)
- F3** Word in [Sch. 18 para. 1\(5\)](#) substituted (29.9.2021 for specified purposes, 1.10.2021 immediately before 1.10.2021 in so far as not already in force) by [Pension Schemes Act 2021 \(c. 1\), s. 131\(2\)\(d\)\(3\)\(c\)](#), [Sch. 11 para. 15\(2\)\(a\)](#); S.R. 2021/271, art. 2(2) (with art. 10)
- F4** Words in [Sch. 18 para. 1\(5\)](#) inserted (29.9.2021 for specified purposes, 1.10.2021 immediately before 1.10.2021 in so far as not already in force) by [Pension Schemes Act 2021 \(c. 1\), s. 131\(2\)\(d\)\(3\)\(c\)](#), [Sch. 11 para. 15\(2\)\(b\)](#); S.R. 2021/271, art. 2(2) (with art. 10)

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#### Commencement Information

- I1** Sch. 18 para. 1 in operation at 16.7.2015 by S.R. 2015/307, [art. 2\(1\)\(n\)](#)

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**Changes and effects yet to be applied to :**

- specified provision(s) transitional provisions for effects of commencing S.I. 2017/297, art. 2 by [S.R. 2017/58](#) Order