STATUTORY INSTRUMENTS

1995 No. 3213

The Pensions (Northern Ireland) Order 1995

PART II

Occupational Pensions

Modification of schemes

Power of trustees to modify schemes by resolution

68.—(1) The trustees of a trust scheme may by resolution modify the scheme with a view to achieving any of the purposes specified in paragraph (2).

(2) The purposes referred to in paragraph (1) are—

(a) to extend the class of persons who may receive benefits under the scheme in respect of the death of a member of the scheme,

(b) to enable the scheme to conform with such arrangements as are required by**[**[F1] Article 218 of the Pensions (Northern Ireland) Order 2005**]**,

[[F2](c) to enable the scheme to comply with such terms and conditions as may be imposed by the Board of the Pension Protection Fund in relation to any payment made by it under Article 168 or 169 of the Pensions (Northern Ireland) Order 2005,**]**

(d) to enable the scheme to conform with Article 37(2), 76(2), 89 or 90,

[[F3](da) to enable the scheme to accommodate persons with pension credits or pension credit rights, and**]**

(e) prescribed purposes.

(3) No modification may be made by virtue of paragraph (2)(a) without the consent of the employer.

(4) Modifications made by virtue of paragraph (2)(b) may include in particular—

(a) modification of any limit on the number of, or of any category of, trustees, or

(b) provision for the transfer or vesting of property.

(5) Regulations may provide that this Article does not apply to trust schemes falling within a prescribed class or description.

F1 Words in art. 68(2)(b) substituted (6.4.2006) by Pensions (Northern Ireland) Order 2005 (S.I. 2005/255 (N.I. 1)), arts. 1(2), 290(1), **Sch. 10 para. 50(a)**; S.R. 2005/543, art. 2(6), **Sch. Pt. 6**

F2 2005 NI 1

F3 1999 NI 11

Changes to legislation:
The Pensions (Northern Ireland) Order 1995, Section 68 is up to date with all changes known to be in force on or before 24 July 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.
View outstanding changes

Changes and effects yet to be applied to :

- Instrument amended by 1998 c. 11 s.23 Sch.5 Pt.IV Ch.II para.72
- power to am. (prosp.) by 1998 c. 47 s.87

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:
Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2 para. 18(15)(16) repealed by 2012 c. 3 (N.I.) Sch. 2 para. 4(b)
- Sch. 2 Pt. 3 para. 18(8) repealed by 2008 c. 1 (N.I.) Sch. 6 Pt. 1 (Amendment could not be applied - affected provision not available on legislation.gov.uk)
- Sch. 2 Pt. 3 para. 18(18) repealed by 2008 c. 1 (N.I.) Sch. 6 Pt. 1 (Amendment could not be applied - affected provision not available on legislation.gov.uk)
- art. 37(1A)(a) word inserted by 2016 c. 1 (N.I.) Sch. 2 para. 7(a)
- art. 37(1A)(b) inserted by 2016 c. 1 (N.I.) Sch. 2 para. 7(b)
- art. 51(5A)-(5C) inserted by 2016 c. 1 (N.I.) s. 43(1)
- art. 51(7A) inserted by 2016 c. 1 (N.I.) s. 41(1)(b)
- art. 51(9)(10) inserted by 2016 c. 1 (N.I.) s. 42(3) (This amending provision is itself amended by S.I. 2019/193, reg. 7)
- art. 67A(3)(aa)-(ac) inserted by 2016 c. 1 (N.I.) s. 45(3)
- art. 67A(9)(b)(viii)-(x) inserted by 2016 c. 1 (N.I.) s. 45(6)(b)
- art. 73(2)(2A) substituted for art. 73(2) by 2016 c. 1 (N.I.) Sch. 2 para. 11
- art. 75(1)-(1B) substituted for art. 75(1) by 2016 c. 1 (N.I.) Sch. 2 para. 12
- art. 167(3)(aa) inserted by 2016 c. 1 (N.I.) s. 43(2)