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STATUTORY RULES OF NORTHERN IRELAND

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**1995 No. 477 (C. 11)**

**PENSIONS**

**The Pensions (1995 Order) (Commencement  
No. 1) Order (Northern Ireland) 1995**

*Made - - - - 18th December 1995*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 1(2) of the Pensions (Northern Ireland) Order 1995<sup>(1)</sup> and of all other powers enabling it in that behalf, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Pensions (1995 Order) (Commencement No. 1) Order (Northern Ireland) 1995.

(2) In this Order, “the Order” means the Pensions (Northern Ireland) Order 1995.

**Appointed days**

2. The day appointed for the coming into operation of—

- (a) the provisions of the Order specified in Part I of the Schedule is 19th December 1995;
- (b) the provisions of the Order specified in Part II of the Schedule is 1st January 1996.

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

18th December 1995.

*Kenneth L. Millar*  
Assistant Secretary

## SCHEDULE

Article 2

## PART I

## PROVISIONS COMING INTO OPERATION ON 19TH DECEMBER 1995

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Articles 62 to 66 and Articles 114, 117, 118, 121, 166 and 167 in so far as they relate to those Articles for the purpose only of authorising the making of regulations under Articles 63(5), 64(2) and (3) and 66(4)	Equal treatment
Article 88	Unpaid contributions in cases of insolvency
Article 152	Employment of staff by the Pensions Ombudsman
Article 164 and Articles 166 and 167 in so far as they relate to that Article	Information about public service schemes
The following paragraphs of Schedule 4 and Article 165 in so far as it relates to them— paragraph 2	Minor amendment to the Contributions and Benefits Act
paragraph 3	Amendment to the Administration Act
paragraph 13(a)	Minor amendment to the Pension Schemes Act
paragraph 15	Amendment to the Pension Schemes Act
The following repeal in Part IV of Schedule 5 and article 168 in so far as it relates to it— the Pension Schemes (Northern Ireland) Act 1993(2), in Schedule 7, paragraph 35	Repeals Definition

## PART II

## PROVISIONS COMING INTO OPERATION ON 1ST JANUARY 1996

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 39 and Articles 114, 118 and 121 in so far as they relate to that Article	Exercise of powers by member trustees
Articles 62 to 66, in so far as they are not already in operation, and Articles 114, 117, 118, 121, 166 and 167 in so far as they relate to those Articles and are not already in operation	Equal treatment
The following paragraphs of Schedule and Article 119 in so far as it relates to them—	Amendments consequential in Part II of the Order

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(2) 1993 c. 49

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<i>Provisions of the Order</i>	<i>Subject Matter</i>
paragraph 21	Repeal of equal access requirements
paragraph 24	Amendment to provisions bringing schemes into conformity with indirectly-applying requirements
paragraph 25	Amendment to provisions about the advice of the Occupational Pensions Board as to conformity of schemes with requirements
paragraph 26	Amendment to determination of questions requirements
paragraph 27	Amendment to applications to modify schemes
paragraph 28	Amendment to functions of the Occupational Pensions Board
paragraph 29	Amendment to effect of orders made by Occupational Pensions Board
paragraph 31(b) in so far as it relates to the repeal of section 149(3) and (4) of the Pension Schemes (Northern Ireland) Act 1993	Amendment to powers to modify the Pension Schemes Act
paragraph 34	Amendment to determination of questions by Department
paragraph 36(a)(i)	Repeal of definition of “equal access requirements”
paragraph 38	Re-enactment or amendment of certain provisions not in force
paragraph 39	Repeal of amendment to the Equal Pay Act (Northern Ireland) 1970(3)

The following repeals in Part I of Schedule 5 and Article 168 in so far as it relates to them—

the provisions of the Pension Schemes (Northern Ireland) Act 1993 specified below—

- (i) section 114
- (ii) in section 128, “, the equal access requirements”
- (iii) in section 129(1), “, the equal access requirements”
- (iv) in section 130, in subsection(3), “, the equal access requirements” and in subsection (4), “or the equal access requirements” and “or, as the case may be, section 114(1)”
- (v) in section 132(2)(e)(iv), “or the equal access requirements”

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(3) 1970 c. 32 (N.I.)

<i>Provisions of the Order</i>	<i>Subject Matter</i>
(vi)	in section 135(2), “, the equal access requirements”
(vii)	section 136(4)(c) and the preceding “and”
(viii)	section 149(3) and (4)
(ix)	section 165(5) and (6)
(x)	in section 176(l), the definition of “equal access requirements”
(xi)	in Schedule 6, paragraphs 1 and 3
(xii)	in Schedule 7, paragraph 10

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order provides for the coming into operation of provisions of the Pensions (Northern Ireland) Order 1995 on the following dates—

19th December 1995 for—

- Articles 62 to 66 for the purpose only of authorising the making of regulations and Articles 114, 117, 118, 121, 166 and 167 in so far as they relate to those Articles for that purpose,
- Article 88 which amends provisions in the Pension Schemes (Northern Ireland) Act 1993 (“the Pension Schemes Act”) concerning unpaid contributions in cases of insolvency,
- Article 152 which amends provisions in the Pension Schemes Act, concerning the employment of staff by the Pensions Ombudsman,
- Article 164 and Articles 166 and 167 in so far as they relate to that Article to provide for the disclosure of information, in certain circumstances, by public service schemes,
- Paragraphs 2, 3, 13(a) and 15 of Schedule 4 and Article 165 in so far as it gives effect to those paragraphs to make minor amendments and an associated repeal in Schedule 5 and Article 168 in so far as it gives effect to that

1st January 1996 for—

- Article 39 and Articles 114, 118 and 121 in so far as they relate to that Article to provide for the exercise of powers by member trustees, the following provisions (which relate to equal treatment)—
- Articles 62 to 66, in so far as not already in operation, and Articles 114, 117, 118, 121, 166 and 167 in so far as they relate to those Articles and are not already in operation,
- paragraphs 21, 24 to 29, 31(b) (in part), 34, 36(a)(i), 38 and 39 of Schedule 1 and Article 119 in so far as it gives effect to those paragraphs,
- associated repeals in Part I of Schedule 5 and Article 168 in so far as it gives effect to those repeals.

