
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 431

The Occupational Pension Schemes (Member-nominated Trustees and Directors) Regulations (Northern Ireland) 1996

Part I

General Provisions

Application of Articles 16 and 18

Exceptions from member-nominated director requirements

6.—(1) Article 18 (requirement for member-nominated directors for certain corporate trustees) does not apply to any company by virtue of its being a trustee of a trust scheme—

- (a) which has another trustee who is not a company;
- (b) in respect of which alternative arrangements under Article 17(1) are for the time being approved;
- (c) which has less than 2 members;
- (d) the only benefits provided by which are death benefits;
- (e) to which section 115 of the Pension Schemes (Northern Ireland) Act 1993 (requirement for independent trustee where employer becomes insolvent etc.) or Article 22 (circumstances for application of requirement for an independent trustee) applies;
- (f) which is an occupational pension scheme which provides relevant benefits, but is neither an approved scheme nor a relevant statutory scheme;
- (g) which is a relevant self-administered scheme;
- (h) which is a relevant approved centralised scheme;
- (i) which is a relevant executive pension scheme in relation to the company;
- (j) which is a direct payment, paid-up insured scheme;
- (k) which is a former old code scheme;
- (l) which is a section 615(6) scheme, or
- (m) which is established under Part II of the Ministerial Salaries and Members' Pensions Act (Northern Ireland) 1965 or Article 3 of the Assembly Pensions (Northern Ireland) Order 1976.

(2) For the purposes of paragraph (1)(a), where (apart from that paragraph) Article 18(8) or regulation 5(2) would treat 2 or more schemes as if they were a single scheme, each of those schemes shall be treated as having a trustee who is not a company if any of them has such a trustee.