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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 377**

**The Occupational Pension Schemes (Equal Treatment)  
(Amendment) Regulations (Northern Ireland) 2005**

**PART 2**

**EQUAL TREATMENT: AMENDMENTS**

*The Occupational Pension Schemes (Equal Treatment) Regulations*

**Modifications: operation of equality clause on pension-related terms of employment**

**6.** For regulation 10 (power to declare right to admission to scheme for breach of term in contract of employment and employer's duty to provide additional resources) there shall be substituted the following regulation—

**“Power for a court or industrial tribunal to declare right to admission to scheme for breach of term in contract of employment in relation to access claims**

**10.** Where a claim to which regulation 9 applies, relates to the terms on which persons become members of the scheme, section 2 of the Equal Pay Act shall have effect as if, after subsection (5) (as modified by regulation 9), there were added the following subsection—

“(6D) Where a court or industrial tribunal finds that there has been a breach of an equality clause which relates to the terms on which persons become members of the scheme (including any terms concerning the age or length of service needed for becoming a member of the scheme), the court or tribunal may declare that a woman has a right to be admitted to the scheme with effect from such date as it may specify provided that, in any case, that date is not earlier than 8th April 1976.””.