

2009 No. 245

PENSIONS

**The Pension Protection Fund (Entry Rules) (Amendment)
Regulations (Northern Ireland) 2009**

Made - - - - - *24th June 2009*

Coming into operation - - - - - *21st July 2009*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by Article 118(2)(d) of the Pensions (Northern Ireland) Order 2005(a).

Citation and commencement

1. These Regulations may be cited as the Pension Protection Fund (Entry Rules) (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 21st July 2009.

Amendment of the Pension Protection Fund (Entry Rules) Regulations

2. In regulation 15 of the Pension Protection Fund (Entry Rules) Regulations (Northern Ireland) 2005(b) (directions)—

- (a) the provisions of the regulation shall become paragraph (1) of the regulation;
- (b) after that paragraph add—

“(2) The amendment of the scheme rules is prescribed as a matter for the purposes of Article 118(2) of the Order.”.

Sealed with the Official Seal of the Department for Social Development on 24th June 2009

(L.S.)

Anne McCleary

A senior officer of the Department for Social Development

(a) S.I. 2005/255 (N.I. 1); Article 118 is modified in its application to partially guaranteed schemes, hybrid schemes and multi-employer schemes by, respectively, S.R. 2005 Nos. 55, 84 and 91 (as amended by S.R. 2005 Nos. 194 and 357)

(b) S.R. 2005 No. 126; regulation 15 is modified in relation to liquidation and administration by Article 3 of S.I. 2009/317

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the relevant person's powers in respect of amending the scheme rules as a matter for the purposes of Article 118(2) of the Pensions (Northern Ireland) Order 2005 ("the Order"). Article 118(2) allows the Board of the Pension Protection Fund, with a view to ensuring that the scheme's protected liabilities do not exceed its assets, or if they do, that the excess is kept to a minimum, to give directions regarding the exercise, during the assessment period, of the relevant person's powers in respect of specified matters and such other matters as may be prescribed.

The Pensions (2005 Order) (Commencement No. 13) Order (Northern Ireland) 2009 (S.R. 2009 No. 242 (C. 14)) provides for the coming into operation of Article 118(2)(d) of the Order, the enabling provision under which these Regulations are made, for the purpose only of authorising the making of regulations, on 23rd June 2009 and for all other purposes on 21st July 2009.

As these Regulations are made before the end of the period of six months beginning with the coming into operation of the provision of the Order by virtue of which they are made, the requirement to consult under Article 289(1) of the Order does not apply by virtue of paragraph (2)(c) of that Article.

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£4.00

Dd. N4077. C1. 6/09. Gp. 130. 14567.