SCHEDULES

SCHEDULE 2

ADMISSION AGREEMENTS WITH ADMISSION BODIES

PART 1

Admission Bodies

1. Subject to the requirements of regulations 3(1)(b) (active membership, employed by an admission body) and 5 (employees of admission bodies) and this Schedule the Committee may make an admission agreement with any admission body.

2.—(1) An admission body is—

(a) a body which provides a public service in the United Kingdom otherwise than for the purposes of gain and which either—

(i) has sufficient links with an employing authority for the body and the employing authority to be regarded as having a community of interest whether because the operations of the body are dependent on the operations of the employing authority or otherwise; or

(ii) is approved by the Department for the purpose of admission to the Scheme.

(b) a body, to the funds of which any employing authority contributes;

(c) a body representative of—

(i) local authorities;

(ii) local authorities and officers of local authorities;

(iii) officers of local authorities where it is formed for the purpose of consultation on the common interests of local authorities and the discussion of matters relating to local government; or

(iv) employing authorities;

(d) a statutory undertaker;

(e) a non-statutory undertaker;

(f) the managers of a voluntary school within the meaning of Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986(**1**);

(g) the governing body of an institution of further education within the meaning of the Further Education (Northern Ireland) Order 1997(**2**); and

(h) a body that is providing or will provide—

(i) a service or assets in connection with the exercise of a function of an employing authority as a result of the transfer of the service or assets by means of a contract or other arrangement; or

(**1**) S.I. 1986/594 (N.I. 3) as amended by S.I.1993/2810 (N.I. 12) and S.I. 1997/1772 (N.I. 15).
(**2**) S.I. 1997/1772 (N.I. 15).

(ii) a public service and which is approved by the Department for the purposes of admission to the Scheme.

(2) In this paragraph—

(a) "a non-statutory undertaker" means a body who, though not authorised by any statutory provision to do so, is primarily engaged in carrying on—

(i) any railway, light railway, road transport, water transport, canal, inland navigation, dock harbour or pier; or

(ii) any undertaking for the promotion of industrial development or the promotion of the development of tourist traffic; and

(b) "a statutory undertaker" means a body authorised by any statutory provision to carry on—

(i) any railway, light railway, road transport, water transport, canal, inland navigation, dock harbour or pier; or

(ii) any undertaking for the promotion of industrial development or the promotion of the development of tourist traffic.

3. An approval under paragraph 2(1)(a)(ii) of this Part of this Schedule, or an approval under paragraph 2(1)(h)(ii) of this Part of this Schedule may be subject to such conditions as the Department thinks fit and it may withdraw approval at any time if such conditions are not met.

4. In the case of an admission agreement with an admission body under paragraph 2(1)(h)(i) of this Part of this Schedule, the employing authority, if it is not also the Committee, shall be a party to the admission agreement.

5. Where, at the date that an admission agreement is made with a body mentioned in paragraph 2(1)(b) of this Part of this Schedule, the funding contributions paid to the body by one or more employing authorities equal in total 50% or less of the total amount it receives from all sources, it shall be a term of that admission agreement that the employing authority which provides the funding (or, if more than one, all of them) guarantees the liability of the body to pay all amounts due from it under the Scheme.

6. Where an admission body under paragraph 2(1)(h)(i) of this Part of this Schedule is exercising the functions of an employing authority in connection with more than one contract or other arrangement under that paragraph, the Committee and the admission body shall enter into a separate admission agreement in respect of each contract or arrangement.

7. This paragraph applies where an admission body under paragraph 2(1)(h) of this Part of this Schedule undertakes to meet the relevant requirements of regulation 3(1)(b) (active membership, employed by an admission body) and this Schedule, and—

(a) in the case of a body under paragraph 2(1)(h)(i) of this Part of this Schedule, the employing authority undertakes to meet the requirements of this paragraph; or

(b) in the case of a body under paragraph 2(1)(h)(ii) of this Part of this Schedule, the Department approves the body for admission to the Scheme and the conditions, if any, to which the approval is subject, have been met.

8. Where paragraph 7 of this Part of this Schedule applies—

(a) the Committee shall admit to the Scheme the eligible employees of the admission body specified by the body; and

(b) where it does so, the terms on which it does so are the admission agreement for the purposes of the Scheme.

9. Only those employees of the admission body who are employed in connection with the provision of a service or assets mentioned in paragraph 2(1)(h) of this Part of this Schedule are

eligible to be designated, under regulation 3(1)(b) (active membership, employed by an admission body), members of the Scheme.