

*Regulations made by the Department for Communities and laid before the Assembly under Article 288(2) and (3)(jb) of the Pensions (Northern Ireland) Order 2005 for approval of the Assembly before the expiration of six months from the date of their coming into operation*

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STATUTORY RULES OF NORTHERN IRELAND

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**2023 No. 113**

**PENSIONS**

**The Pensions Dashboards (Amendment) Regulations  
(Northern Ireland) 2023**

*Made* - - - - *21st July 2023*

*Coming into operation* *9th August 2023*

The Department for Communities(a) makes the following Regulations in exercise of the powers conferred by Articles 215D and 287(3) of the Pensions (Northern Ireland) Order 2005(b).

**Citation and commencement**

1. These Regulations may be cited as the Pensions Dashboards (Amendment) Regulations (Northern Ireland) 2023 and shall come into operation on 9th August 2023.

**Amendment of the Pensions Dashboards Regulations**

2. The Pensions Dashboards Regulations (Northern Ireland) 2023(c) are amended in accordance with regulations 3 to 11.

**Amendment of regulation 14**

3. In regulation 14(2) (cooperation – trustees or managers) for “the staging profile” substitute “regulation 15(1)”.

**Amendment of regulation 15**

4. In regulation 15 (connection according to the staging profile)—

- (a) in the heading for “staging profile” substitute “connection deadline”;
- (b) in paragraph (2)—
  - (i) omit “16,”;
  - (ii) omit sub-paragraphs (a) and (b);

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(a) See section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))

(b) S.I. 2005/255 (N.I. 1); Article 215D was inserted by paragraph 3 of Schedule 9 to the Pension Schemes Act 2021 (c. 1); see also Article 288(3)(jb) as inserted by paragraph 5 of that Schedule

(c) S.R. 2023 No. 91

- (iii) before sub-paragraph (c) insert—
  - “(aa) by no later than the connection deadline;”;
- (iv) in sub-paragraph (d)—
  - (aa) after “from time to time by” insert “the Department,”;
  - (bb) before “jointly” insert “by at least 2 of them”;
- (c) omit paragraph (3);
- (d) for paragraph (6) substitute—
  - “(6) The connection deadline that applies to a pension scheme under paragraph (2)(aa) remains fixed, unless—
    - (a) the deadline changes pursuant to regulation 17, 19 or 20, or
    - (b) all the members of the scheme become pensioner members.”.

### **Amendment of regulation 16**

- 5. In regulation 16 (early or voluntary connection)—**
  - (a) for the heading substitute “Voluntary connection”;
  - (b) in paragraph (1)—
    - (i) omit sub-paragraph (a);
    - (ii) omit “early or”;
  - (c) in paragraphs (2) and (3) omit “early or”;
  - (d) in paragraph (4)—
    - (i) omit “early or”;
    - (ii) in sub-paragraph (a)—
      - (aa) omit “even if there is a change in the classification of the scheme type or in its size,”;
      - (bb) in head (ii) for “members;” substitute “members.”;
    - (iii) omit sub-paragraph (b);
  - (e) in paragraph (5)—
    - (i) omit “early or”;
    - (ii) in sub-paragraph (b) for “within the connection window referred to in paragraph (4)(b)” substitute “by no later than the agreed deadline”.

### **Amendment of regulation 17**

- 6. In regulation 17 (deferred connection)—**
  - (a) in paragraph (1)—
    - (i) for “staging deadline that applies to a pension scheme by virtue of regulation 15(2)(a)” substitute “connection deadline that applies to a pension scheme by virtue of regulation 15(2)(aa)”;
    - (ii) omit sub-paragraph (a);
    - (iii) before sub-paragraph (b) insert—
      - “(aa) no more than 12 months has passed since 9th August 2023;”;
    - (iv) in sub-paragraph (b) for “previously;” substitute “previously.”;
    - (v) omit sub-paragraph (c);
  - (b) in paragraph (2)—
    - (i) for “staging deadline that” substitute “connection deadline that”;

- (ii) omit sub-paragraph (a);
- (iii) before sub-paragraph (b) insert—
  - “(aa) submit evidence to demonstrate that at least one of the following conditions applies—
    - (i) that before 9th August 2023, they had embarked on a programme to transfer the data held by the pension scheme to a new administrator;
    - (ii) that before 9th August 2023, they had entered into a contract containing an obligation to retender the administration of the scheme, and that the timetable for this is reasonable and conflicts with the connection deadline.”;
  - (iv) in sub-paragraph (b) for “staging deadline” substitute “connection deadline”;
- (c) in paragraph (3) for “staging deadline”, in each place where it occurs, substitute “connection deadline”;
- (d) for paragraph (4) substitute—
  - “(4) Where permission is granted to defer the connection deadline under paragraph (3)(a), the agreed deadline remains fixed, unless all the members of the scheme become pensioner members.”;
- (e) in paragraph (5)—
  - (i) for “staging deadline” substitute “connection deadline”;
  - (ii) in sub-paragraph (b) for “within the connection window referred to in paragraph (4)(b)” substitute “by no later than the agreed deadline”.

#### **Amendment of regulation 18**

- 7. In regulation 18 (connection where the staging profile does not apply)—
  - (a) for the heading substitute “Connection for new or growing schemes”;
  - (b) in paragraph (1) for sub-paragraph (a) substitute—
    - “(a) a pension scheme does not exist at the reference date or has fewer than 100 relevant members at the reference date, but is established (if it did not exist previously) and has 100 or more relevant members at a scheme year end date on or after 1st April 2024, and”;
  - (c) in paragraph (2) for sub-paragraph (b) substitute—
    - “(b) the connection deadline that applies to a scheme which is covered by regulation 15(1).”;
  - (d) omit paragraph (3);
  - (e) for paragraph (4) substitute—
    - “(4) Once a deadline applies pursuant to paragraph (2), that deadline remains fixed, unless—
      - (a) permission to defer connection is given under regulation 17, or
      - (b) all the members of the scheme become pensioner members.”;
  - (f) in paragraph (5)(b) for “within the connection window referred to in paragraph (4)(b)” substitute “by no later than the deadline pursuant to paragraph (2)”.

### **Amendment of regulation 19**

- 8.** In regulation 19 (connection where these Regulations cease to apply and then apply again)—
- (a) for paragraph (3) substitute—

“(3) Once a deadline applies pursuant to paragraph (2), the deadline remains fixed, unless—

    - (a) permission to defer connection is given under regulation 17 (in which case the rules in that provision apply instead), or
    - (b) all the members of the scheme become pensioner members.”;
  - (b) in paragraph (4)(b) for “within the connection window referred to in paragraph (3)(b)” substitute “by no later than the deadline pursuant to paragraph (2)”.

### **Amendment of regulation 20**

- 9.** In regulation 20 (connection affected by an assessment period)—
- (a) for paragraph (2) substitute—

“(2) Once a deadline applies pursuant to paragraph (1)(b), the deadline remains fixed, unless—

    - (a) permission to defer connection is given under regulation 17, or
    - (b) all the members of the scheme become pensioner members.”;
  - (b) in paragraph (3)(b) for “within the connection window referred to in paragraph (2)(b)” substitute “by no later than the deadline pursuant to paragraph (1)(b)”.

### **Amendment of Schedule 1**

- 10.** In Schedule 1 (interpretation)—
- (a) omit the definition of “automatic enrolment”;
  - (b) after the definition of “connection and security standards” insert—

““connection deadline” means 31st October 2026, being the latest date by which relevant occupational pension schemes must be connected to the Money and Pensions Service (unless a different deadline applies pursuant to regulation 16, 17, 18, 19 or 20);”;
  - (c) in the definition of “guidance” omit “early or”;
  - (d) omit the definition of “hybrid scheme”;
  - (e) omit the definition of “master trust scheme”;
  - (f) in the definition of “reference date” for “1st April 2020 and 31st March 2021” substitute “1st April 2023 and 31st March 2024”;
  - (g) omit the definition of “staging deadline”;
  - (h) omit the definition of “staging profile”.

### **Omission of Schedule 2**

- 11.** Omit Schedule 2 (staging profile).

Sealed with the Official Seal of the Department for Communities on 21st July 2023

(L.S.)

*David Tarr*  
A senior officer of the Department for Communities

## EXPLANATORY NOTE

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

These Regulations amend the Pensions Dashboards Regulations (Northern Ireland) 2023 (“the Dashboards Regulations”).

The Dashboards Regulations make provision for pensions dashboard services, which are intended to enable individuals (or other authorised persons) to request and view information relating to an individual’s pension entitlements electronically.

Chapter 1 of Part 3 of the Dashboards Regulations imposes requirements on trustees or managers of relevant occupational pension schemes to cooperate with the Money and Pensions Service. The Money and Pensions Service is the single financial guidance body established by section 1 of the Financial Guidance and Claims Act 2018 (c. 10). Regulation 15 of the Dashboards Regulations introduced Schedule 2 which sets out the order and date by which different types of relevant occupational pension schemes were required to establish a working connection with the Money and Pensions Service. These Regulations amend the Dashboards Regulations, to replace the staging profile, staging deadlines and connection window, by introducing a single “connection deadline” of 31st October 2026.

Regulation 3 amends regulation 14 (cooperation – trustees or managers) by removing the reference to the staging profile.

Regulation 4 amends regulation 15 (connection according to the staging profile) by replacing the staging profile and staging deadlines (as set out in Schedule 2) with a single “connection deadline” for all relevant occupational pension schemes. The connection deadline is defined in Schedule 1. Regulation 4 also removes the “connection window”, which is no longer required. References in Chapter 1 to the connection window and to changes in the classification of a scheme according to the staging profile are therefore omitted.

Regulation 15(2)(d) of the Dashboards Regulations is amended to allow the Department for Communities (“the Department”) to issue guidance in relation to connection either separately or jointly with the Money and Pensions Service or the Pensions Regulator, who may also issue guidance jointly.

Regulation 5 amends regulation 16 (early or voluntary connection) by revoking the process of trustees or managers applying for early connection, as there is no longer a connection window; references to early connection in Chapter 1 are therefore omitted.

Regulation 6 amends regulation 17 (deferred connection) by extending the period for trustees or managers to make an application to the Department to defer the connection deadline. The amended period is the period within 12 months of 9th August 2023, to reflect the introduction of the single connection deadline, and the evidence requirements are updated to reflect the amended period.

Regulation 7 amends regulation 18 (connection where the staging profile does not apply) by amending the dates that are relevant for the purpose of establishing when a scheme, which meets the criteria for connecting to the Money and Pensions Service after the reference date, must connect. The reference date is defined in Schedule 1.

Regulations 8 and 9 amend regulations 19 (connection where the Pensions Dashboards Regulations (Northern Ireland) 2023 cease to apply and then apply again) and 20 (connection affected by an assessment period) respectively, to reflect the introduction of a single connection deadline.

Regulation 10 amends Schedule 1 (interpretation) by inserting a definition of connection deadline, amending the definition of reference date (so the scheme year end date falls between 1st April 2023 and 31st March 2024, both dates inclusive), and omitting the definitions of staging profile and staging deadline. It also omits definitions which were only used in and in connection with the staging profile in Schedule 2.

Regulation 11 omits Schedule 2 (staging profile).

As these Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain, the requirement to consult under Article 289(1) of the Pensions (Northern Ireland) Order 2005 does not apply by virtue of paragraph (2)(e) of that Article.

An assessment of the cost to business of the Regulations is detailed in a Regulatory Impact Assessment, a copy of which has been laid in the Business Office and the Library of the Northern Ireland Assembly. Copies of the Assessment are available from the Department for Communities, Social Security Policy, Legislation and Decision Making Services, Level 8, Causeway Exchange, 1-7 Bedford Street, Belfast BT2 7EG or from the website: <https://www.communities-ni.gov.uk/articles/pension-information>. A copy of the Assessment is also annexed to the Explanatory Memorandum which is available alongside this Statutory Rule on the website: <http://www.legislation.gov.uk/nisr>.

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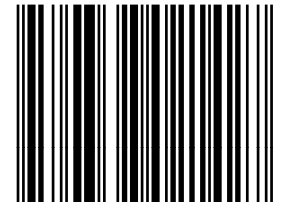
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