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DRAFT STATUTORY INSTRUMENTS

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**2005 No.**

**The Pensions (Northern Ireland) Order 2005**

**PART IV  
SCHEME FUNDING**

*Scheme funding*

**Matters on which advice of actuary must be obtained**

**209.**—(1) The trustees or managers must obtain the advice of the actuary before doing any of the following—

- (a) making any decision as to the methods and assumptions to be used in calculating the scheme's technical provisions (see Article 201(4)),
- (b) preparing or revising the statement of funding principles (see Article 202),
- (c) preparing or revising a recovery plan (see Article 205),
- (d) preparing or revising the schedule of contributions (see Article 206),
- (e) modifying the scheme as regards the future accrual of benefits under Article 208(2).

(2) Regulations may require the actuary to comply with any prescribed requirements when advising the trustees or managers of a scheme on any such matter.

(3) The regulations may require the actuary to have regard to prescribed guidance.

“Prescribed guidance” means guidance that is prepared and from time to time revised by a prescribed body and, if the regulations so provide, is approved by the Department.

(4) Where paragraph (1) is not complied with, Article 10 of the 1995 Order (civil penalties) applies to a trustee or manager who has failed to take all reasonable steps to secure compliance.