

SCHEDULES

SCHEDULE 1

Section 6.

APPLICATION OF 1993 AND 1995 ACTS TO REGISTERED SCHEMES

- 1 (1) The provisions specified in sub-paragraph (2) shall apply as if any pension scheme established under a trust which—
- (a) is not an occupational pension scheme, but
 - (b) is or has been registered under section 2,
- were an occupational pension scheme.
- (2) The provisions are—
- (a) subsections (4) to (9) of section 175 of the 1993 Act (levies towards certain expenditure); and
 - (b) the following provisions of Part I of the 1995 Act—
 - (i) sections 3 to 11, 13 and 15 (supervision by the Authority) except sections 8(1) and (2), 11(3)(c) and 15(1);
 - (ii) sections 27 to 31 (trustees: general);
 - (iii) sections 32 to 36 and 39 (functions of trustees) except the reference to sections 16(3)(b) and 25(2) in section 32(4), the reference to section 56 in section 35(2) and section 35(5)(b);
 - (iv) section 41 (functions of trustees or managers);
 - (v) sections 47 and 48 (advisers);
 - (vi) section 49 (receipts, payment and records) except subsections (5) and (8) to (13);
 - (vii) section 50 (resolution of disputes);
 - (viii) section 68 (power of trustees to modify scheme by resolution) except subsection (3);
 - (ix) sections 81 to 86 (the compensation payments) except section 81(1)(b);
 - (x) sections 91, 92 and 94 (assignment and forfeiture etc.) except section 91(5)(d);
 - (xi) section 96(2)(c) (review of decisions of the Authority);
 - (xii) section 108 (other permitted disclosures);
 - (xiii) section 110 (provision of information to Compensation Board);
 - (xiv) section 117 (overriding requirements); and
 - (xv) sections 124 and 125 (interpretation).
- (3) Section 47(9) of the 1995 Act (as applied by sub-paragraph (1)) shall have effect as if the reference to any person who is or has been the employer were a reference to any person who, in pursuance of section 3(5), is or has been required—
- (a) to deduct an employee's contributions to the scheme from his remuneration;
- and

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- (b) to pay them to the trustees or managers of the scheme or to a prescribed person.
 - (4) Section 68 of the 1995 Act (as so applied) shall have effect as if the purposes specified in subsection (2) included enabling the conditions set out in section 1 to be fulfilled in relation to the scheme.
 - (5) Section 124(1) of the 1995 Act (as so applied) shall have effect as if the definition of “member” were omitted.
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- (1) Sections 98 to 100 of the 1995 Act (gathering information: the Authority) shall apply as if any pension scheme which—
 - (a) is not an occupational pension scheme, but
 - (b) is or has been registered under section 2,
 were an occupational pension scheme.
 - (2) Section 99 of the 1995 Act (as applied by sub-paragraph (1)) shall have effect as if the regulatory provisions, for the purposes of subsection (1) of that section, were—
 - (a) provisions made by or under the provisions specified in paragraph 1(2), other than section 110 of the 1995 Act;
 - (b) sections 111, 115 and 116 of that Act;
 - (c) any provisions in force in Northern Ireland corresponding to the provisions mentioned in paragraphs (a) and (b); and
 - (d) sections 1 and 2(4) to (6).
 - (3) Section 100 of the 1995 Act (as so applied) shall have effect as if the references in subsections (1)(c)(i) and (4)(b) to that Act included references to section 2(5).
 - (4) Any reference in this paragraph or paragraph 3 which is or includes a reference to, or to any subsection of, section 1 or 2 includes a reference to any provision in force in Northern Ireland corresponding to that section or (as the case may be) that subsection; and the reference in sub-paragraph (1) to any pension scheme includes a personal pension scheme (as well as an occupational scheme) within the meaning of the Pension Schemes (Northern Ireland) Act 1993.
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- (1) Section 99 of the 1995 Act shall have effect in relation to any occupational pension scheme which is or has been registered under section 2 as if the regulatory provisions for the purposes of subsection (1) of section 99 included sections 1 and 2(4) to (6).
 - (2) Section 100 of the 1995 Act shall have effect in relation to any occupational pension scheme which is or has been registered under section 2 as if the references in subsections (1)(c)(i) and (4)(b) to that Act included references to section 2(5).