
STATUTORY INSTRUMENTS

2010 No. 917

The National Employment Savings Trust Order 2010

PART 1

General

Citation and commencement

- 1.—(1) This Order may be cited as the National Employment Savings Trust Order 2010.
- (2) Article 20 shall come into force on 5th July 2010 and cease to have effect on 1st October 2016.
- (3) The remaining provisions of this Order shall come into force on 5th July 2010.

Interpretation

2. In this Order—

- “the 1999 Act” means the Welfare Reform and Pensions Act 1999(1);
- “the 1999 Order” means the Welfare Reform and Pensions (Northern Ireland) Order 1999(2);
- “the Act” means the Pensions Act 2008;
- “the NI Act” means the Pensions (No. 2) Act (Northern Ireland) 2008(3);
- “the corporation” means the National Employment Savings Trust Corporation established under section 75 of the Act(4);
- “data” and “personal data” have the same meanings as in section 1 of the Data Protection Act 1998(5);
- “employers’ panel” means the panel referred to in article 6(2)(b);
- “jobholder” has the meaning given by –
 - (a) in relation to Great Britain, section 1(1) of the Act; or
 - (b) in relation to Northern Ireland, section 1(1) of the NI Act;
- “member of the Scheme” means a person who has been admitted as a member of the Scheme under article 19 and whose pension account has not yet been fully discharged through the provision of one or more benefits under article 32;
- “members’ panel” means the panel referred to in article 6(2)(a);
- “member’s pension account” means an account maintained by the Trustee for a member of the Scheme comprising–
 - (a) the member’s contributions;

(1) 1999 c.30.

(2) S.I. 1999/3147 (N.I. 11).

(3) 2008 c.13 (N.I.).

(4) The corporation was so named by S.I. 2010/3.

(5) 1998 c.29. The definition of “data” in section 1 was amended by the Freedom of Information Act 2000 (c. 36), sections 68 and 86 and Schedule 8, Part III.

- (b) contributions made by any participating employer;
 - (c) any sums transferred into the Scheme in respect of the member;
 - (d) investment returns; and
 - (e) any other amounts paid to the Trustee to be applied to the member's pension account, less any expenses and outgoings properly deducted by the Trustee;
- “the panels” means the members' panel and the employers' panel;
- “participating employer” means an employer⁽⁶⁾ that has been admitted to participation in the Scheme under article 18;
- “pension credit” means a credit–
- (a) in relation to Great Britain, under section 29 of the 1999 Act; or
 - (b) in relation to Northern Ireland, under Article 26 of the 1999 Order;
- “qualifying arrangement” has the same meaning–
- (a) in relation to Great Britain, as in paragraph 6(1) of Schedule 5 to the 1999 Act; or
 - (b) in relation to Northern Ireland, as in paragraph 6(1) of Schedule 5 to the 1999 Order;
- “rules” means rules made under section 67 of the Act;
- “the Scheme” means the pension scheme established by article 3(1); and
- “the Trustee” means the person appointed as trustee of the Scheme.

(6) “Employer” is defined in section 88 of the Act and section 70 of the NI Act.