

Status: This version of this schedule contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Pension Schemes Act (Northern Ireland) 2016, SCHEDULE 2. (See end of Document for details)

SCHEDULES

SCHEDULE 2

Section 47.

OTHER AMENDMENTS TO DO WITH PARTS 1 AND 2

Pension Schemes (Northern Ireland) Act 1993 (c. 49)

PROSPECTIVE

^{F1}1

Textual Amendments
F1 Sch. 2 paras. 1-19 omitted (1.8.2022) by virtue of Pension Schemes Act 2021 (c. 1), s. 131(2) (d)(3)(c), Sch. 11 para. 16(e)(i); S.R. 2022/197, art. 3(f)

PROSPECTIVE

2 In section 79 (scope of provisions about revaluation of benefits excluding guaranteed minimum pensions), in subsection (4), for paragraph (a) (but not the “and” at the end) substitute—

“(a)”

(3)

PROSPECTIVE

4 In section 120 (duty of the Department for Employment and Learning to pay unpaid contributions to schemes), for subsection (3A) substitute—

“(3A)”

PROSPECTIVE

5.—(1)

(2)

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(3)

PROSPECTIVE

Pensions (Northern Ireland) Order 1995 (NI 22)

6 The 1995 Order is amended as follows.

7 In Article 37 (payment of surplus to employer) in paragraph (1A)—

- (a)
- (b)

8 In Article 38 (power to defer winding up), in paragraph (3), for sub-paragraph (a) (but not the “or” at the end) substitute—

“(a)”

9 In Article 51 (annual increase in rate of pension), in paragraph (1)(a)(iii), for “is not a money purchase scheme” substitute “ is not a defined contributions scheme ”.

10 In Article 51A (restrictions on increase where annuity tied to investments), in paragraph (1), for “money purchase scheme” substitute “ defined contributions scheme ”.

11 In Article 73 (preferential liabilities on winding up), for paragraph (2) substitute—

“(2)
(2A)”

12 In Article 75 (employer debt where deficiency in assets on winding up etc), for paragraph (1) substitute—

“(1)
(1A)
(1B)”

- 13.—**(1)
- (2)
- (3)
- (4)

14 For the italic cross-heading above Article 85 substitute “ Schemes providing money purchase benefits ”.

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15 In the heading to Article 86 (schedules of payments to money purchase schemes: supplementary), for “to money purchase schemes” substitute “in respect of money purchase benefits under certain schemes”.

- 16.**—(1)
- (2)
- (3)

17 In Article 121 (interpretation), in paragraph (1), at the appropriate places insert—

- ““collective benefit” has the meaning given by section 8 of the Pension Schemes Act (Northern Ireland) 2016;”,
- ““defined benefits scheme” has the meaning given by section 2 of the Pension Schemes Act (Northern Ireland) 2016;”,
- ““defined contributions scheme” has the meaning given by section 4 of the Pension Schemes Act (Northern Ireland) 2016;”,
- ““occupational”, in relation to a defined benefits scheme, shared risk scheme or defined contributions scheme, means an occupational pension scheme of that description;”,
- ““shared risk scheme” has the meaning given by section 3 of the Pension Schemes Act (Northern Ireland) 2016;”.

- 18.**—(1)
- (2)
- (3)

Welfare Reform and Pensions (Northern Ireland) Order 1999 (NI 11)

PROSPECTIVE

F1¹⁹

Textual Amendments

F1 Sch. 2 paras. 1-19 omitted (1.8.2022) by virtue of Pension Schemes Act 2021 (c. 1), s. 131(2) (d)(3)(c), Sch. 11 para. 16(e)(i); S.R. 2022/197, art. 3(f)

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Pensions (Northern Ireland) Order 2005 (NI 1)

PROSPECTIVE

20 The 2005 Order is amended as follows.

PROSPECTIVE

- 21.**—(1)
- (2)
- (3)

- 22** In Article 9 (improvement notices), in paragraph (7)—
- (a) omit the “, or” at the end of sub-paragraph (e);
 - (b) after sub-paragraph (f) insert “, or
 - (g) the Pension Schemes Act (Northern Ireland) 2016.”.

PROSPECTIVE

^{F2}**23**

Textual Amendments

F2 Sch. 2 paras. 23-27 omitted (1.8.2022) by virtue of Pension Schemes Act 2021 (c. 1), s. 131(2) (d)(3)(c), **Sch. 11 para. 16(e)(iii)**; S.R. 2022/197, art. 3(f)

PROSPECTIVE

- 24.**—(1)
- (2)
- (3)
- (4)
- (5)

PROSPECTIVE

25 In Article 34 (contribution notices where avoidance of employer debt), for paragraph (1) substitute—

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“(1)
(1A)
(1B)”.

PROSPECTIVE

26.—(1)
(2)
(3)

PROSPECTIVE

^{F2}**27**

Textual Amendments
F2 Sch. 2 paras. 23-27 omitted (1.8.2022) by virtue of Pension Schemes Act 2021 (c. 1), s. 131(2) (d)(3)(c), **Sch. 11 para. 16(e)(iii)**; S.R. 2022/197, art. 3(f)

28.—(1) Article 85 (codes of practice) is amended as follows.
(2) In paragraph (2)(i), for “money purchase schemes” substitute “ certain schemes ”.
(3) In paragraph (6), in the definition of “the pensions legislation”—
(a) omit the “or” at the end of paragraph (c);
(b) after paragraph (d) insert—
 “(e) Schedule 18 to the Pensions Act (Northern Ireland) 2015, or
 (f) the Pension Schemes Act (Northern Ireland) 2016.”.

PROSPECTIVE

29 In Article 110 (schemes eligible for pension protection), for paragraph (1) substitute—
 “(1)
 (1A)
 (1B)”.

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PROSPECTIVE

30 For Article 200 (application of scheme funding rules in Part 4), substitute—

“Pension schemes to which this Part applies

- 200.**—(1)
- (2)
- (3)
- (4)”.

31 In Article 231 (representative of non-European scheme to be treated as trustee), in paragraph (3)—

- (a) omit the “or” at the end of sub-paragraph (c);
- (b) after sub-paragraph (d) insert “, or
- (e) the Pension Schemes Act (Northern Ireland) 2016.”.

PROSPECTIVE

32 In Article 235 (pension protection on transfer of employment: form of protection), in paragraph (2)—

- (a)
- (b)

33 In Article 267 (duty of trustees or managers to act consistently with law of host EEA state), in paragraph (4)—

- (a) omit the “or” at the end of sub-paragraph (c);
- (b) after sub-paragraph (d) insert “, or
- (e) the Pension Schemes Act (Northern Ireland) 2016.”.

PROSPECTIVE

^{F3}**34**

Textual Amendments

- F3** Sch. 2 paras. 34-47 omitted (1.8.2022) by virtue of Pension Schemes Act 2021 (c. 1), s. 131(2) (d)(3)(c), Sch. 11 para. 16(e)(vi); S.R. 2022/197, art. 3(f)

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PROSPECTIVE

Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13)

35 The Pensions (No2) Act (Northern Ireland) 2008 is amended as follows.

- 36.**—(1)
- (2)
- (3)

37 In section 21 (quality requirement: UK defined benefits schemes) for “A defined benefits scheme” substitute “ An occupational defined benefits scheme ”.

38 In section 23A (alternative quality requirements for UK defined benefits schemes), in subsection (1), for “a defined benefits scheme” substitute “ an occupational defined benefits scheme ”.

- 39.**—(1)
- (2)
- (3)
- (4)

- 40.**—(1)
- (2)
- (3)
- (4)
- (5)
- (6)

- 41.**—(1)
- (2)
- (3)
- (4)

42 For the heading to section 29 substitute “ Transitional periods for certain schemes ”.

- 43.**—(1)
- (2)
- (3)
- (4)

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- (5)
- (6)
- (7)
- (8)
- (9)
- (10)

44 In section 35 (compliance notices), in subsection (5), for “a defined benefits scheme or a hybrid scheme” substitute “an occupational defined benefits scheme or a shared risk scheme”.

45 In section 38 (calculation and payment of contributions), in subsection (2) (e), for “a money purchase scheme, a hybrid scheme or a personal pension scheme” substitute “a defined contributions scheme or a shared risk scheme”.

- 46.—**(1)
- (2)
- (3)
- (4)

Pensions Act (Northern Ireland) 2015 (c. 5)

PROSPECTIVE

F3 47

Textual Amendments

F3 Sch. 2 paras. 34-47 omitted (1.8.2022) by virtue of Pension Schemes Act 2021 (c. 1), s. 131(2) (d)(3)(c), **Sch. 11 para. 16(e)(vi)**; S.R. 2022/197, art. 3(f)

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