



## 2008 CHAPTER 13

### PART 1

#### PENSION SCHEME MEMBERSHIP FOR JOBHOLDERS

##### CHAPTER 6

##### STAKEHOLDER PENSION SCHEMES

##### **Stakeholder pension schemes**

**69.**—(1) The Welfare Reform and Pensions (Northern Ireland) Order 1999 (NI 11) is amended as follows.

(2) Article 5 (duty of employers to facilitate access to stakeholder pension schemes) is amended as follows.

(3) In paragraph (1), for “the requirements set out below” substitute “ the requirement in paragraph (5) ”.

(4) After paragraph (1) insert—

“(1A) A relevant employee, in relation to an employer, is an employee of the employer who, on the relevant date, satisfies the conditions in paragraph (1B).

(1B) The conditions are that—

- (a) the employee is a member of a stakeholder pension scheme;
- (b) the employee made a request under paragraph (5) before the relevant date and that request has not been withdrawn;
- (c) the employee pays contributions (which are deducted in accordance with that request) to the scheme at regular intervals;

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**Changes to legislation:** *Pensions (No. 2) Act (Northern Ireland) 2008, CHAPTER 6 is up to date with all changes known to be in force on or before 07 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (d) at least one deduction has been made before the relevant date in accordance with that request.
- (1C) A person ceases to be a relevant employee—
  - (a) on ceasing to be employed by the employer;
  - (b) on withdrawing a request under paragraph (5);
  - (c) on ceasing to pay contributions at regular intervals.”.
- (5) Omit paragraphs (2) to (4).
- (6) In paragraph (5)—
  - (a) omit the word “fourth”;
  - (b) omit the words from “of his” to “qualifying scheme”;
  - (c) in sub-paragraph (a), for “scheme” substitute “ stakeholder pension scheme ”.
- (7) After paragraph (5) insert—
 

“(5A) That requirement only applies in relation to a request to make deductions made before the relevant date (whether or not that request is varied after that date).”.
- (8) Omit paragraph (6).
- (9) In paragraph (7), for “any of the requirements” substitute “ the requirement ”.
- (10) In paragraph (8)—
  - (a) for the words from “whether before” to “those purposes” substitute “ while subject to the requirement in paragraph (5) ”;
  - (b) omit sub-paragraph (a)(ii) and (iii).
- (11) In paragraph (9), after the definition of “regulations” insert—
 

““relevant date” means the date on which section 69 of the Pensions (No. 2) Act (Northern Ireland) 2008 comes into operation.”.
- (12) In that paragraph—
  - (a) omit the definition of “qualifying scheme”;
  - (b) omit the definition of “relevant employees”.
- (13) In Article 8 (application of certain statutory provisions) omit paragraphs (1), (2) and (4).
- (14) In Article 9 (interpretation), in paragraph (1), omit the definition of “designated scheme”.

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**Commencement Information**

**II** [S. 69](#) in operation at 1.10.2012 by [S.R. 2012/372](#), [art. 2\(a\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 24(1)(c) inserted by [2016 c. 1 \(N.I.\) Sch. 2 para. 39\(2\)\(d\)](#)