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## SCHEDULES

### SCHEDULE 3

#### Minor and Consequential Amendments

##### *The Pensions (Northern Ireland) Order 2005 (NI 1)*

5. The 2005 Order is amended as follows.

**Modifications etc. (not altering text)**

- C1** Sch. 3 para. 5 transitional provision for commencement by 2021 c. 6 (N.I.), s. 44(1)(a)(b) (11.8.2021) by [The Pension Schemes \(2021 Act\) \(Commencement No. 1 and Transitional Provisions\) Order \(Northern Ireland\) 2021 \(S.R. 2021/234\)](#), **art. 3**

**Commencement Information**

- I1** Sch. 3 para. 5 in operation at 10.8.2021 for specified purposes, see **s. 44(1)(a)(v)**  
**I2** Sch. 3 para. 5 in operation at 10.8.2021, see **s. 44(1)(c)**  
**I3** Sch. 3 para. 5 in operation at 13.9.2021 for specified purposes by [S.R. 2021/234](#), **art. 2(b)**

6. In Article 2(4) (interpretation: scheme rules)—

(a) in sub-paragraph (a), at the end add—

“(xii) sections 21, 23, 26, 28, 29 and 33 of and Schedule 1 to the Pension Schemes Act (Northern Ireland) 2021;”;

(b) in sub-paragraph (b), at the end add—

“(ix) sections 21(7), 23(7), 26(9), 28(6), 29(2) and 33(5) of and paragraph 1(7) of Schedule 1 to the Pension Schemes Act (Northern Ireland) 2021.”.

**Commencement Information**

- I4** Sch. 3 para. 6 in operation at 10.8.2021, see **s. 44(1)(c)**

7. In Article 9 (improvement notices), in paragraph (7) (meaning of “pensions legislation”)—

(a) in the opening words, after “by virtue of” insert “any of the following”;

(b) at the end add “, or

(i) Part 1 of the Pension Schemes Act (Northern Ireland) 2021.”.

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#### Commencement Information

- I5 Sch. 3 para. 7 not in operation at Royal Assent, see [s. 44\(2\)](#)
- I6 Sch. 3 para. 7 in operation at 16.3.2022 for specified purposes by [S.R. 2022/110](#), [art. 2\(a\)](#)
- I7 Sch. 3 para. 7 in operation at 6.4.2022 in so far as not already in operation by [S.R. 2022/110](#), [art. 2\(b\)](#)

8. In Article 65 (duty to report breaches of the law) in paragraph (1), at the end add—

- “(f) a scheme strategist or scheme funder of a Master Trust scheme within the meaning of Part 1 of the Pension Schemes Act (Northern Ireland) 2021 (see section 39 of that Act).”.

#### Commencement Information

- I8 Sch. 3 para. 8 not in operation at Royal Assent, see [s. 44\(2\)](#)
- I9 Sch. 3 para. 8 in operation at 16.3.2022 for specified purposes by [S.R. 2022/110](#), [art. 2\(a\)](#)
- I10 Sch. 3 para. 8 in operation at 6.4.2022 in so far as not already in operation by [S.R. 2022/110](#), [art. 2\(b\)](#)

9. In Article 67 (provision of information), in paragraph (1A), after “2008” insert “or Part 1 of the Pension Schemes Act (Northern Ireland) 2021”.

#### Modifications etc. (not altering text)

- C2 Sch. 3 para. 9 transitional provision for commencement by 2021 c. 6 (N.I.), s. 44(1)(a)(b) (11.8.2021) by [The Pension Schemes \(2021 Act\) \(Commencement No. 1 and Transitional Provisions\) Order \(Northern Ireland\) 2021 \(S.R. 2021/234\)](#), [art. 3](#)

#### Commencement Information

- I11 Sch. 3 para. 9 in operation at 10.8.2021 for specified purposes, see [s. 44\(1\)\(a\)\(v\)](#)
- I12 Sch. 3 para. 9 in operation at 16.3.2022 for specified purposes by [S.R. 2022/110](#), [art. 2\(a\)](#)
- I13 Sch. 3 para. 9 in operation at 6.4.2022 in so far as not already in operation by [S.R. 2022/110](#), [art. 2\(b\)](#)

10. In Article 68 (inspection of premises), in paragraph (2) before subparagraph (e) insert—

- “(dc) the Pension Schemes Act (Northern Ireland) 2021;”.

#### Commencement Information

- I14 Sch. 3 para. 10 not in operation at Royal Assent, see [s. 44\(2\)](#)
- I15 Sch. 3 para. 10 in operation at 16.3.2022 for specified purposes by [S.R. 2022/110](#), [art. 2\(a\)](#)

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**I16** Sch. 3 para. 10 in operation at 6.4.2022 in so far as not already in operation by S.R. 2022/110, art. 2(b)

**11.** In Article 72A (fixed penalty notices), in paragraph (6) after “2008” insert “or section 17 of the Pension Schemes Act (Northern Ireland) 2021”.

**Commencement Information**

**I17** Sch. 3 para. 11 not in operation at Royal Assent, see s. 44(2)

**I18** Sch. 3 para. 11 in operation at 16.3.2022 for specified purposes by S.R. 2022/110, art. 2(a)

**I19** Sch. 3 para. 11 in operation at 6.4.2022 in so far as not already in operation by S.R. 2022/110, art. 2(b)

**12.** In Article 72B (escalating penalty notices), in paragraph (8) after “2008” insert “or section 18 of the Pension Schemes Act (Northern Ireland) 2021”.

**Commencement Information**

**I20** Sch. 3 para. 12 not in operation at Royal Assent, see s. 44(2)

**I21** Sch. 3 para. 12 in operation at 16.3.2022 for specified purposes by S.R. 2022/110, art. 2(a)

**I22** Sch. 3 para. 12 in operation at 6.4.2022 in so far as not already in operation by S.R. 2022/110, art. 2(b)

**13.** In Article 75 (offences of providing false or misleading information), in paragraph (1)(c)—

(a) omit the “or” at the end of head (iv); and

(b) in head (v), at the end add “, or

(vi) the Pension Schemes Act (Northern Ireland) 2021.”.

**Commencement Information**

**I23** Sch. 3 para. 13 not in operation at Royal Assent, see s. 44(2)

**I24** Sch. 3 para. 13 in operation at 16.3.2022 for specified purposes by S.R. 2022/110, art. 2(a)

**I25** Sch. 3 para. 13 in operation at 6.4.2022 in so far as not already in operation by S.R. 2022/110, art. 2(b)

**14.** In Article 75A (financial penalty for providing false or misleading information to Regulator), in paragraph (2)(c)—

(a) omit the “or” at the end of head (iv); and

(b) in head (v), at the end add “, or

(vi) the Pension Schemes Act (Northern Ireland) 2021.”.

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- I26** Sch. 3 para. 14 not in operation at Royal Assent, see [s. 44\(2\)](#)  
**I27** [Sch. 3 para. 14](#) in operation at 16.3.2022 for specified purposes by [S.R. 2022/110](#), [art. 2\(a\)](#)  
**I28** [Sch. 3 para. 14](#) in operation at 6.4.2022 in so far as not already in operation by [S.R. 2022/110](#), [art. 2\(b\)](#)

**15.**—(1) Article 85 (codes of practice) is amended as follows.

(2) In paragraph (2) (matters on which the Pensions Regulator must issue codes of practice), before sub-paragraph (k) insert—

- “(jc) the process for making an application for authorisation of a Master Trust scheme under Part 1 of the Pension Schemes Act (Northern Ireland) 2021;  
(jd) the matters that the Regulator expects to take into account in deciding whether it is satisfied that a Master Trust scheme meets the authorisation criteria under that Part (see section 5 of the Pension Schemes Act (Northern Ireland) 2021);”.

(3) In paragraph (6), in the definition of “the pensions legislation” at the end add “, or

(h) the Pension Schemes Act (Northern Ireland) 2021.”.

#### Commencement Information

- I29** Sch. 3 para. 15 not in operation at Royal Assent, see [s. 44\(2\)](#)  
**I30** [Sch. 3 para. 15](#) in operation at 13.9.2021 by [S.R. 2021/234](#), [art. 2\(c\)](#)

**16.** In Article 88(2) (“regulatory functions” of the Regulator subject to procedure), before sub-paragraph (q) insert—

- “(pe) the power to give a direction under section 26(7) of the Pension Schemes Act (Northern Ireland) 2021 (direction to submit implementation strategy), and”.

#### Commencement Information

- I31** Sch. 3 para. 16 not in operation at Royal Assent, see [s. 44\(2\)](#)  
**I32** [Sch. 3 para. 16](#) in operation at 16.3.2022 for specified purposes by [S.R. 2022/110](#), [art. 2\(a\)](#)  
**I33** [Sch. 3 para. 16](#) in operation at 6.4.2022 in so far as not already in operation by [S.R. 2022/110](#), [art. 2\(b\)](#)

**17.** In Article 92(5) (special procedure: applicable cases), before sub-paragraph (u) insert—

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- “(tg) the power to withdraw authorisation of a Master Trust scheme under section 19 of the Pension Schemes Act (Northern Ireland) 2021;
- (th) the power to make a pause order under section 31 of that Act;
- (ti) the power to make an order under paragraph 2(2) of Schedule 1 to that Act extending the period for which a pause order has effect;
- (tj) the power to make an order under paragraph 3 of that Schedule validating action taken in contravention of a pause order;
- (tk) the power to make an order under paragraph 4(3) of that Schedule directing the notification of members or employers;”.

#### Commencement Information

- I34** Sch. 3 para. 17 not in operation at Royal Assent, see [s. 44\(2\)](#)
- I35** Sch. 3 para. 17 in operation at 16.3.2022 for specified purposes by [S.R. 2022/110](#), [art. 2\(a\)](#)
- I36** Sch. 3 para. 17 in operation at 6.4.2022 in so far as not already in operation by [S.R. 2022/110](#), [art. 2\(b\)](#)

**18.** In Schedule 1 (the Pensions Regulator), in Part 1 (delegation), in paragraph 2(2), after head (o) add—

- “(p) the power to issue a fixed penalty notice under section 17 of the Pension Schemes Act (Northern Ireland) 2021;
- (q) the power to issue an escalating penalty notice under section 18 of that Act.”.

#### Commencement Information

- I37** Sch. 3 para. 18 not in operation at Royal Assent, see [s. 44\(2\)](#)
- I38** Sch. 3 para. 18 in operation at 16.3.2022 for specified purposes by [S.R. 2022/110](#), [art. 2\(a\)](#)
- I39** Sch. 3 para. 18 in operation at 6.4.2022 in so far as not already in operation by [S.R. 2022/110](#), [art. 2\(b\)](#)

**19.** In Schedule 2 (functions exercisable by the Determinations Panel), before Part 5 insert—

## “PART 4B

### Functions Under The Pension Schemes Act (Northern Ireland) 2021

**44I.** The power to withdraw authorisation of a Master Trust scheme under section 19.

**44J.** The power to give a direction under section 28(4) (direction to pursue continuity option).

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**44K.** The power to make a pause order under section 31.

**44L.** The power to make an order under paragraph 2(2) of Schedule 1 extending the period for which a pause order has effect.

**44M.** The power to make an order under paragraph 3 of that Schedule validating action taken in contravention of a pause order.

**44N.** The power to make an order under paragraph 4(3) of that Schedule directing the notification of members or employers.

**44O.** Terms used in this Part have the same meaning as in Part 1 of the Pension Schemes Act (Northern Ireland) 2021.”.

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**Commencement Information**

**I40** Sch. 3 para. 19 not in operation at Royal Assent, see [s. 44\(2\)](#)

**I41** [Sch. 3 para. 19](#) in operation at 16.3.2022 for specified purposes by [S.R. 2022/110](#), [art. 2\(a\)](#)

**I42** [Sch. 3 para. 19](#) in operation at 6.4.2022 in so far as not already in operation by [S.R. 2022/110](#), [art. 2\(b\)](#)

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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):

- [reg. 22\(3\)](#) excluded by [S.R. 2024/78 reg. 28\(4\)\(c\)](#)