STATUTORY INSTRUMENTS

1995 No. 3213

The Pensions (Northern Ireland) Order 1995

PART II

Occupational Pensions

Member-nominated trustees and directors

Corporate trustees: exceptions

19.—(1) Article 18 does not apply to a company which is a trustee of a trust scheme if—

(a) a proposal has been made by the employer for the continuation of existing arrangements, or the adoption of new arrangements, for selecting the directors of the company,

(b) the arrangements referred to in the proposal are for the time being approved under the statutory consultation procedure, and

(c) such other requirements as may be prescribed are satisfied.

(2) Where—

(a) by virtue of paragraph (1), Article 18 does not apply to a company which is a trustee of a trust scheme; and

(b) the employer's proposal was for the adoption of new arrangements which, in consequence of paragraph (1)(b), are adopted,

the company must secure that the proposed arrangements are made and implemented.

(3) For the purposes of this Article, the arrangements for selecting the directors of a company include all matters relating to the continuation in office of the existing directors, the selection or appointment of new directors and the terms of their appointments and any special rules for decisions to be made by particular directors.

(4) Article 18 does not apply to a company which is a trustee of a trust scheme if the scheme falls within a prescribed class.

(5) Article 10 applies to any employer who—

(a) makes such a proposal as is referred to in paragraph (1)(a), but

(b) fails to give effect to the statutory consultation procedure.