

SCHEDULE 3

Modifications of the Pensions (Northern Ireland) Order 1995 and These Regulations

Cases where an Article 18 company is the employer

3.—(1) Where a company to which Article 18 applies is the sole trustee of and sole employer in relation to the relevant scheme these Regulations shall have effect with the following modifications.

(2) In regulation 13(2) for sub-paragraph (d) there shall be substituted the following sub-paragraph—

“(d) if before the expiry of the period of 6 months beginning with the date mentioned in sub-paragraph (a), (b) or (c) the company duly gives notice under paragraph 2 of Schedule 1 that it is proposing alternative arrangements, but the alternative arrangements are not approved, during the period of 6 months beginning with the date with which the approval period expires.”.

(3) In regulation 15—

(a) in paragraph (1)—

(i) in sub-paragraph (a) for the words from “to the company” to the end there shall be substituted “under Schedule 1 at a permitted notice time to the eligible members of the scheme of its proposals for alternative arrangements under Article 19(1), and”, and

(ii) sub-paragraph (b)(ii) and the word “and” immediately preceding it shall be omitted;

(b) in paragraph (2)—

(i) in sub-paragraph (a)(i) for “one month” there shall be substituted “6 months”;

(ii) in sub-paragraphs (a)(ii) and (b)(i) for “one month” there shall be substituted “6 months” and for “to the employer” there shall be substituted “to the eligible members”, and

(iii) in sub-paragraph (c)(i) the words “to the company” shall be omitted, and

(c) for paragraph (3) there shall be substituted the following paragraph—

“(3) In paragraph (1) the “approval period”, in relation to alternative arrangements, means—

(a) where notice of those arrangements is given under paragraph (2)(a)(iii) or (c), the period of 6 months beginning with the date on which that notice is given, and

(b) otherwise, the period within which notice of those arrangements may be given under paragraph (1)(a).”.

(4) In regulation 16(2)(b)(i) for the words from “the date” to the end there shall be substituted “the date on which the arrangements are approved, and”.

(5) In regulation 20—

(a) in paragraph (1)(f), for the words from “the date” to the end there shall be substituted “the date following the date on which the arrangements are approved;”;

(b) in paragraph (1)(h), in head (ii) for “the employer” there shall be substituted “the eligible members”, and for “with the opt-out failure date” there shall be substituted “of the approval period”;

(c) in paragraph (3) the words “to the employer and, in the case of rules,” shall be omitted, and

(d) paragraph (5)(a) shall be omitted.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (6) In regulation 23(3) the words “and the trustees of the scheme” shall be omitted.
- (7) In Schedule 4—
 - (a) in paragraphs 4(1) and 6 for “to an Article 18 company” there shall be substituted “to the eligible members of the scheme”, and
 - (b) in paragraph 6(c) for “to the company” there shall be substituted “to the eligible members”.