

SCHEDULE 3

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

Multi-employer schemes

1.—(1) In their application to any scheme which applies to earners in employments under different employers or, as the case may be, to a company which is the trustee of a relevant scheme which so applies, Articles 16 to 21 shall have effect with the following modifications—

- (a) in Articles 16(6), 17(1)(a) and (5), 18(6) and 19(1)(a) and (5) for “employer” there shall be substituted “appropriate person”;
- (b) in Articles 17(2)(b) and 19(2)(b) for “employer’s” there shall be substituted “appropriate person’s”;
- (c) in Article 18(1) for “the employer” there shall be substituted “any of the employers”;
- (d) in Article 18(8) for sub-paragraphs (a) and (b) there shall be substituted “a trustee of two or more trust schemes by virtue of the trusteeship of which this Article applies to it, then, subject to paragraph (9)”;
- (e) after Article 18(8) there shall be added the following paragraph—

“(9) Where—

- (a) apart from this paragraph, paragraph (8) would apply to a company, and
- (b) there are only two schemes by virtue of the trusteeship of which this Article applies to the company,

the company may determine that paragraph (8) shall not apply to those schemes.”;

- (f) in Article 20(5) for “the employer” and “the employer’s” there shall be substituted respectively “any employer” and “all the employers”;
- (g) after Article 21(7) there shall be added the following paragraph—

“(8) In Articles 16 to 19 “appropriate person” means the person whom the employers nominate to act for them for the purposes of this paragraph or, if no such nomination is made, all the employers.”.

(2) In their application to any such scheme or, as the case may be, company—

- (a) the definitions of “alternative arrangements” and “opt-out failure date” in regulation 2(1), regulations 7(2)(d), 9, 10(2)(b)(i), 13(2)(d), 15, 16(2)(b)(i), 20(1), (3), (4) and (5) and 22(3), paragraph 9(3) of Schedule 1 and Schedule 4 apply with the substitution for references to the employer of references to the appropriate person (as defined in Article 21(8), as added by sub-paragraph(1)(g)), and

(b) paragraph 1(3) of Schedule 2 applies—

- (i) with the substitution in head (a) for “the employer” of “all the employers”, and
- (ii) with the substitution for head (b) of the following head—

“(b) none of the employers requires his approval to be obtained.”.