

SCHEDULE 3

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

Shorter periods of office: casual vacancies etc.

5.—(1) Article 16 has effect with the substitution for paragraph (5) of the following paragraphs in its application in the cases specified in paragraph (5A) as so substituted—

“(5) The arrangements must provide for the selection of a person to have effect for not less than the minimum period and not more than six years.

(5A) For the purposes of paragraph (5), the minimum period is three years or (if less)—

- (a) in the case of a member-nominated trustee who is selected to fill a vacancy for such a trustee which has arisen on another such trustee ceasing to be a trustee, otherwise than by virtue of the expiry of his period of office, the remainder of that period;
- (b) in the case of a member-nominated trustee who is selected to fill a vacancy which has previously been unfilled because insufficient nominations have been received, the remainder of the period of office for which the selection of a person to fill that vacancy would have had effect if sufficient nominations had been received, and
- (c) in a case where the arrangements provide that the number of member-nominated trustees shall be reduced if a lower number would satisfy the requirement under paragraph (6), as respects any trustee whose trusteeship is to terminate in those circumstances, his period of office at that time.”.

(2) Article 18 shall have effect with the substitution for paragraph (5) of the following paragraphs in the cases specified in paragraph (5A) as so substituted—

“(5) The arrangements must provide for the selection of a person to have effect for not less than the minimum period and not more than six years.

(5a) For the purposes of paragraph (5), the minimum period is three years or (if less)—

- (a) in the case of a member-nominated director who is selected to fill a vacancy for such a director which has arisen on another such director ceasing to be a director, otherwise than by virtue of the expiry of his period of office, the remainder of that period;
- (b) in the case of a member-nominated director who is selected to fill a vacancy which has previously been unfilled because insufficient nominations have been received, the remainder of the period of office for which the selection of a person to fill that vacancy would have had effect if sufficient nominations had been received, and
- (c) in a case where the arrangements provide that the number of member-nominated directors shall be reduced if a lower number would satisfy the requirement under paragraph (6), as respects any director whose office is to terminate in those circumstances, his period of office at that time.”.