
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 544

**The Personal and Occupational Pension
Schemes (Miscellaneous Amendments
No. 2) Regulations (Northern Ireland) 1997**

Amendment of the Occupational Pension Schemes (Minimum Funding Requirement and Actuarial Valuations) Regulations

3.—(1) The Occupational Pension Schemes (Minimum Funding Requirement and Actuarial Valuations) Regulations (Northern Ireland) 1996(1) shall be amended in accordance with paragraphs (2) to (5).

(2) In regulation 28(3)(2) (exemptions) the words “at an applicable time (as defined in Article 75(3))” shall be omitted.

(3) After regulation 28(3) there shall be inserted—

“(3A) Paragraph (3) shall apply in the case of a debt which has arisen under section 140 of the Pension Schemes (Northern Ireland) Act 1993(3) (deficiencies in the assets of a scheme on winding up) as if it were a debt arising under Article 75.”.

(4) In regulation 29 (modifications) at the end there shall be added—

“(e) schemes which are exempt from the requirement to appoint an actuary.”.

(5) In Schedule 5 (modifications) after paragraph 6 there shall be added—

“Schemes which are not required to appoint an actuary

7. Where a scheme is exempt from the application of Article 47(1)(b) (requirement to appoint a scheme actuary) by virtue of regulations made under paragraph (5) of that Article(4), Articles 56 to 60 and these Regulations shall apply as if references to the actuary were to an actuary authorised by the trustees or managers to provide such valuations or certifications as may be required under those Articles and these Regulations.”.

(1) [S.R. 1996 No. 570](#); relevant amending regulations are [S.R. 1997 No. 160](#)

(2) Regulation 28(3) was amended by [S.R. 1997 No. 160](#)

(3) Section 140 was repealed by Part I of Schedule 5 to the Pensions (Northern Ireland) Order 1995 subject to savings in [S.R. 1997 No. 192 \(C. 10\)](#)

(4) See regulation 3(2) of [S.R. 1997 No. 94](#)