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STATUTORY RULES OF NORTHERN IRELAND

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**2007 No. 185**

**The Occupational and Personal Pension  
Schemes (Miscellaneous Amendments)  
Regulations (Northern Ireland) 2007**

**Amendment of the Occupational Pension Schemes (Member-nominated Trustees and Directors) Regulations**

**19.**—(1) The Occupational Pension Schemes (Member-nominated Trustees and Directors) Regulations (Northern Ireland) 2006<sup>(1)</sup> shall be amended in accordance with paragraphs (2) to (4).

(2) In regulation 1(2) (interpretation) for the definition of “relevant small occupational pension scheme” substitute—

““relevant small occupational pension scheme” means a scheme with fewer than 12 members, where—

- (a) all the members are trustees of the scheme and either—
  - (i) the provisions of the scheme provide that any decision made by the trustees is made by the unanimous agreement of the trustees who are members of the scheme, or
  - (ii) the scheme has a trustee who is independent in relation to the scheme for the purposes of Article 23(2) of the 1995 Order (power to appoint independent trustees), and is registered in the register maintained by the Regulator in accordance with regulations made under paragraph (4) of that Article, or
- (b) all the members are directors of a company which is the sole trustee of the scheme, and either—
  - (i) the provisions of the scheme provide that any decision made by the company in its capacity as trustee are made by the unanimous agreement of the directors who are members of the scheme, or
  - (ii) one of the directors of the company is independent in relation to the scheme for the purposes of Article 23 of the 1995 Order, and is registered in the register maintained by the Regulator in accordance with regulations made under paragraph (4) of that Article.”.

(3) In regulation 2 (exemptions from requirement to have member-nominated trustees)—

- (a) at the end of paragraph (l) omit “or”, and
- (b) after paragraph (m) add—
  - “or
  - (n) is designated as an existing scheme by virtue of Article 15 of the Railway Pensions (Protection and Designation of Schemes) Order 1994<sup>(3)</sup> (designation of existing schemes).”.

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(1) [S.R. 2006 No. 148](#)

(2) Article 23 was substituted by Article 32(3) of the Pensions (Northern Ireland) Order 2005 ([S.I. 2005/255 \(N.I. 1\)](#))

(3) [S.I. 1994/1432](#) to which there are amendments not relevant to these Regulations

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**Changes to legislation:** There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2007, Section 19. (See end of Document for details)

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(4) In regulation 3 (prescribed exemptions from requirement to have member-nominated directors of corporate trustees)—

(a) at the end of paragraph (n) omit “or”, and

(b) after paragraph (o) add—

“or

(p) is designated as an existing scheme by virtue of Article 15 of the Railway Pensions (Protection and Designation of Schemes) Order 1994.”.

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**Commencement Information**

**II** Reg. 19 in operation at 6.4.2007, see **reg. 1(1)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2007, Section 19.