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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 115**

**The Occupational and Personal Pension  
Schemes (Miscellaneous Amendments)  
Regulations (Northern Ireland) 2009**

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

**20.**—(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) and (3).

(2) In regulation 3(1)<sup>(2)</sup> (prescribed exemptions from requirement to have member-nominated directors of corporate trustees) for “the sole director, or all the directors” substitute “all the directors (or the sole director) of the trustee (or trustees)”.

(3) In regulation 5 (modifications of Articles 218 and 219)—

(a) in paragraph (1) for “paragraphs (2) to (6)” substitute “paragraphs (2) to (7)”;

(b) after paragraph (6) add—

“(7) In relation to a scheme where—

(a) every trustee is a company;

(b) at least one trustee only has directors who are independent (or a sole director who is independent) within the meaning given by Article 23(3)<sup>(3)</sup> of the 1995 Order, and

(c) at least one trustee has one or more directors who are not independent within that meaning,

Article 219 shall be modified as if after paragraph (1) there were inserted the following paragraph—

“(1A) But paragraph (1) does not apply to such a company which only has directors who are independent (or a sole director who is independent) within the meaning given by Article 23(3) of the 1995 Order.”.

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**Commencement Information**

**II** Reg. 20 in operation at 6.4.2009, see **reg. 1(2)**

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(1) [S.R. 2006 No. 148](#) as amended by [S.R. 2007 No. 185](#)

(2) Regulation 3 was amended by regulation 19(4) of [S.R. 2007 No. 185](#)

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

**Status:**

Point in time view as at 06/04/2009.

**Changes to legislation:**

There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2009, Section 20.