
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 72

**The Occupational and Stakeholder Pension
Schemes (Miscellaneous Amendments)
Regulations (Northern Ireland) 2013**

Amendment of the Occupational Pension Schemes (Preservation of Benefit) Regulations

2.—(1) The Occupational Pension Schemes (Preservation of Benefit) Regulations (Northern Ireland) 1991(1) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 1(2)(2) (interpretation) after the definition of “the Act” insert—

““European pensions institution” has the meaning given in Article 269(8) of the Pensions (Northern Ireland) Order 2005(3);”.

(3) After regulation 11A(4) (further alternative to short service benefit – transfer to an overseas arrangement) insert—

“Further alternative to short service benefit – transfer to a European pensions institution without consent

11B.—(1) For the purposes of section 69(2)(b) and (4)(b) (form of short service benefit and its alternatives), a scheme may, instead of providing short service benefit, provide for the transfer of the member’s accrued rights to a European pensions institution without the member’s consent where the conditions in regulation 12(2)(5) and (3)(6) are satisfied.

(2) For the purposes of paragraph (1) of this regulation, the references to “receiving scheme” in regulation 12(2), (3) and (4A)(7) are to be read as references to “receiving European pensions institution”.

(3) Where it is proposed that a member’s accrued rights are to be transferred in accordance with this regulation, information about the proposed transfer and details of the value of the rights to be transferred (including rights in respect of death in service benefits and survivors’ benefits) shall be furnished to the member not less than one month before the date on which the proposed transfer is due to take place.”.

(4) In regulation 12(2)(a) and (b) (transfer of member’s accrued rights without consent) for “apply to” substitute “relate to persons who are or have been in”.

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- (1) [S.R. 1991 No. 37](#); relevant amending Regulations are [S.R. 1992 No. 304](#), [S.R. 1993 No. 324](#), [S.R. 1996 No. 620](#), [S.R. 1999 No. 378](#) and [S.R. 2011 No. 89](#)
- (2) Regulation 1(2) was substituted by regulation 2(2) of [S.R. 1996 No. 620](#)
- (3) [S.I. 2005/255 \(N.I. 1\)](#); the definition of “European pensions institution” was amended by regulation 5(8)(e) of [S.R. 2007 No. 457](#)
- (4) Regulation 11A was inserted by regulation 2(6) of [S.R. 1996 No. 620](#)
- (5) Paragraph (2) was substituted by regulation 35 of [S.R. 1992 No. 304](#) and amended by regulation 2(7)(a) of [S.R. 1996 No. 620](#)
- (6) Paragraph (3) was substituted by regulation 3(2)(a) of [S.R. 2011 No. 89](#)
- (7) Paragraph (4A) was substituted by regulation 2(a) of [S.R. 1993 No. 324](#) and amended by regulation 2(b) of [S.R. 1999 No. 378](#) and regulation 3(2)(c) of [S.R. 2011 No. 89](#)

Status: *This is the original version (as it was originally made).*
