
STATUTORY RULES OF NORTHERN IRELAND

2022 No. 121

The Occupational Pension Schemes (Master Trusts) Regulations (Northern Ireland) 2022

Application of Part 1 of the Act

29.—(1) 2 or more pension schemes are treated as a single Master Trust scheme for the purposes of Part 1 of the Act when paragraph (2) or (4) applies.

(2) This paragraph applies where—

- (a) none of the schemes is a Master Trust scheme;
- (b) none of the schemes has any of the characteristics set out in paragraph (3);
- (c) each scheme provides money purchase benefits (whether alone or in conjunction with other benefits);
- (d) each scheme is used by one employer, or by 2 or more employers which are connected with one another within the meaning given by section 1(3)(a) of the Act or regulation 3; and
- (e) the schemes are under common control.

(3) The characteristics are—

- (a) the scheme has only one member;
- (b) the scheme is a relevant small scheme as defined in regulation 1(2ZB) of the Administration Regulations and 50% or more of the trustees are members of the scheme;
- (c) the only money purchase benefits provided by the scheme are attributable to one or both of the following—
 - (i) additional voluntary contributions made by or on behalf of non-money purchase members of the scheme, in respect of a period when—
 - (aa) they are active members of the scheme, or
 - (bb) they have ceased to be active members of the scheme because they have reached a maximum service limit in relation to the scheme;
 - (ii) money purchase rights or benefits transferred from other pension schemes in respect of persons who, at the time of the transfer, were active non-money purchase members of the receiving scheme, where those rights or benefits are closed to future accrual;
- (d) the Regulator has appointed a trustee to the scheme pursuant to Article 7(1) of the 1995 Order (appointment of trustees) and the scheme is closed to future contributions, or
- (e) all the employers using the schemes are connected with one another within the meaning given by section 1(3)(a) of the Act or regulation 3.

(4) This paragraph applies where—

- (a) one of the schemes is a Master Trust scheme;

(1) Article 7 was amended by Article 31(1) of, and paragraph 30 of Schedule 10 and Schedule 11 to, the Pensions (Northern Ireland) Order 2005, section 106(1) of the Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13 (N.I.)) and paragraph 3 of Schedule 19 to the Pensions Act (Northern Ireland) 2015 (c. 5 (N.I.))

- (b) each other scheme is primarily promoted to current or former members of the Master Trust scheme for the purpose of providing decumulation options, and
 - (c) all the schemes are under common control.
- (5) For the purposes of this regulation, schemes are under common control where—
- (a) they have at least 3 of the following persons in common—
 - (i) a scheme funder (or a person who would be a scheme funder if the scheme were a Master Trust scheme);
 - (ii) a scheme strategist (or a person who would be a scheme strategist if the scheme were a Master Trust scheme);
 - (iii) a person who promotes or markets the scheme;
 - (iv) a majority of trustees, or
 - (b) they have 2 of the persons listed in sub-paragraph (a) in common and the schemes are—
 - (i) provided by a common service provider, or
 - (ii) subject to the same rules.