

SCHEDULE 4

Provisions relating to the transfer

Pension schemes

5.—(1) In this paragraph “existing scheme” means any pension scheme in relation to which a dissolved body is an employer or one of a number of employers.

(2) For the purposes of the Pension Schemes Act 1993 ^{F1}, the Pensions Act 1995 ^{F2}, Part 1 or section 33 of the Welfare Reform and Pensions Act 1999 ^{F3} and the Pensions Act 2004 ^{F4} and subordinate legislation made under those Acts the Agriculture and Horticulture Development Board shall be treated on and after the transfer as if it had at all material times been the employer in relation to any pension scheme in relation to which the dissolved body was an employer so that no employment cessation event shall occur or be deemed to occur on the transfer, and for the purpose of calculating the right to benefits under the pension scheme, service or employment with the dissolved body prior to the transfer shall be taken into account as if it were service or employment with the Agriculture and Horticulture Development Board, but the coming into force of this Order does not of itself give rise to any claim to benefit under any such scheme or operate to cause a member of it to become a member of another pension scheme.

(3) For the purpose of any provisions contained in any instrument affecting an existing scheme which has the effect of prohibiting or invalidating amendments of such instrument which would vary or conflict with the main objects or purposes of the scheme, any such admission, transfer of assets or assumption of liability as is referred to in this Schedule, whether effected by the powers conferred by this Schedule or otherwise, shall be deemed to be one of the main objects or purposes of such existing scheme.

F1 1993 c. 48.

F2 1995 c. 26.

F3 1999 c. 30.

F4 2004 c. 35.

Changes to legislation:

There are currently no known outstanding effects for the The Agriculture and Horticulture Development Board Order 2008, Paragraph 5.