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STATUTORY INSTRUMENTS

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**2005 No. 255**

**The Pensions (Northern Ireland) Order 2005**

**PART III**

**THE BOARD OF THE PENSION PROTECTION FUND**

**CHAPTER 3**

**PENSION PROTECTION**

*Provisions applying to closed schemes*

**Treatment of closed schemes**

**139.**—(1 <sup>F1</sup> In this Article “closed scheme” means an eligible scheme which is authorised under Article 137 to continue as a closed scheme.

(2 <sup>F1</sup> The provisions mentioned in paragraph (3) apply in relation to a closed scheme at any time when the trustees or managers of the scheme are required to wind up or continue winding up the scheme under Article 138 as if that time fell within an assessment period in relation to the scheme.

(3) The provisions are—

- (a) Article 36(5) and (6) (Board to act as creditor for debt due by virtue of a contribution notice under Article 34);
- (b) Article 45(5) and (6) (Board to act as creditor for debt due by virtue of a contribution notice under Article 43);
- (c) Article 50(5) and (6) (Board to act as creditor for debt due by virtue of a restoration order under Article 48);
- (d) Article 52(5) and (6) (Board to act as creditor for debt due by virtue of a contribution notice under Article 51);
- (e) Article 117 (admission of new members, payment of contributions etc.);
- (f) Article 118 (directions);
- (g) Article 121 (Board to act as creditor of the employer).

(4) Regulations may require the trustees or managers of a closed scheme in relation to which the provisions mentioned in paragraph (3) apply to comply with such requirements as may be prescribed when providing for the discharge of any liability to, or in respect of, a member of the scheme for pensions or other benefits.

**F1** mod. by SR 2005/91

**Commencement Information**

**II** [Art. 139](#) wholly in operation at 6.4.2007; [art. 139](#) not in operation at date of making see [art. 1\(2\)](#); [Art. 139\(1\)\(4\)](#) in operation for certain purposes at 1.11.2006 and wholly in operation at 6.4.2007 by

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**Changes to legislation:** *The Pensions (Northern Ireland) Order 2005, Section 139 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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S.R. 2006/352, **art. 2(3)**, Sch. Pt. 1; art. 139 in operation at 6.4.2007 in so far as it is not already in operation by S.R. 2006/352, **art. 2(5)**, Sch. Pt. 2

**Changes to legislation:**

The Pensions (Northern Ireland) Order 2005, Section 139 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 6 para. 21(2)(c)-(cc) substituted for (b)(c) by [2008 c. 13 \(N.I.\) Sch. 6 para. 11](#)
- art. 2(4)(b)(viii)-(x) inserted by [2016 c. 1 \(N.I.\) Sch. 2 para. 21\(3\)\(b\)](#)
- art. 19(1A) inserted by [2016 c. 1 \(N.I.\) Sch. 2 para. 24\(3\)](#)
- art. 19(10A) inserted by [2016 c. 1 \(N.I.\) Sch. 2 para. 24\(5\)](#)
- art. 34(1)-(1B) substituted for art. 34(1) by [2016 c. 1 \(N.I.\) Sch. 2 para. 25](#)
- art. 34(7)(da) inserted by [2021 c. 1 Sch. 8 para. 3\(2\)](#)
- art. 39(1)-(1B) substituted for art. 39(1) by [2016 c. 1 \(N.I.\) Sch. 2 para. 26\(2\)](#)
- art. 48(1)-(1B) substituted for art. 48(1) by [2016 c. 1 \(N.I.\) Sch. 2 para. 27](#)
- art. 75(1)(a)(iib) inserted by [2021 c. 1 Sch. 8 para. 8\(2\)](#)
- art. 110(1)-(1B) substituted for art. 110(1) by [2016 c. 1 \(N.I.\) Sch. 2 para. 29](#)
- art. 191(5) added by [2008 c. 13 \(N.I.\) Sch. 9 para. 6](#)
- art. 267(4)(f) and word inserted by [2021 c. 1 Sch. 6 para. 20\(b\)](#)