

## SCHEDULES

### SCHEDULE 2

#### THE RESERVED REGULATORY FUNCTIONS

#### PART 2

#### FUNCTIONS UNDER THE 1995 ORDER

4. The power to make an order under Article 3(1) prohibiting a person from being a trustee.
5. The power to make an order under Article 3(3) revoking such an order.

[<sup>F1</sup>5A The power under Article 3A(3) to give a notice waiving a prohibition.]

**F1** Sch. 2 para. 5A inserted (16.7.2015) by Pensions Act (Northern Ireland) 2015 (c. 5), s. 53(1), Sch. 19 para. 10(2); S.R. 2015/307, art. 2(1)(o)

6. The power to make an order under Article 4(1) suspending a trustee.
7. The power to make an order under Article 4(2) extending the period for which an order under Article 4(1) of that Order has effect.
8. The power to make an order under Article 4(5) revoking an order under Article 4(1) of that Order suspending a trustee.
9. The power to make an order appointing a trustee under any of the following provisions of Article 7—
  - (a) paragraph (1) where a trustee is removed by an order under Article 3 (prohibition orders) [<sup>F2</sup>or by Article 3A];
  - (b) paragraph (3)(a) [<sup>F3</sup>, (c) or (d)].

**F2** Words in Sch. 2 para. 9(a) inserted (16.7.2015) by Pensions Act (Northern Ireland) 2015 (c. 5), s. 53(1), Sch. 19 para. 10(3); S.R. 2015/307, art. 2(1)(o)

**F3** Words in Sch. 2 para. 9(b) substituted (26.1.2009) by Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13), ss. 106(2), 118(1); S.R. 2009/22, art. 2(1)(c)

10. The power under Article 9 to exercise by order the same jurisdiction and powers as the High Court for vesting property in, or transferring property to, trustees in consequence of the appointment or removal of a trustee.
11. The power to require a person to pay a penalty under Article 10 (including under regulations made by virtue of paragraph (3) of that Article).
12. The power to make an order under Article 11 directing or authorising an occupational pension scheme to be wound up.
13. The power to give directions to trustees under Article 15.

**Changes to legislation:** *The Pensions (Northern Ireland) Order 2005, PART 2 is up to date with all changes known to be in force on or before 17 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*

[<sup>F4</sup>**13A.** The duty under Article 23(4), and regulations made thereunder, to compile and maintain a register of persons who satisfy prescribed conditions to act as independent trustees, but only in so far as that duty entails the removal of a person from that register if he does not satisfy, or no longer satisfies, any such prescribed condition.]

**F4** SR 2005/169

**14.** The power under Article 29(5) to give a notice waiving a disqualification under Article 29 of that Order.

**15.** The power under Article 30(2) to exercise by order the same jurisdiction and powers as the High Court for vesting property in, or transferring property to, the trustees where a trustee becomes disqualified under Article 29 of that Order.

[<sup>F5</sup>**15A.** The power under Article 58(7) to extend or further extend the period referred to in Article 58(6) of that Order in relation to a schedule of contributions for an occupational pension scheme.]

**F5** SR 2005/357

**15B.** The power under Article 60(7) to extend or further extend the period applicable under Article 60(3) of that Order in relation to securing an increase in the value of the assets of an occupational pension scheme.

**16.** The power to make an order under Article 67G(2) by virtue of which any modification of, or grant of rights under, an occupational pension scheme is void to any extent.

**17.** The power to make an order under Article 67H(2) prohibiting, or specifying steps to be taken in relation to, the exercise of a power to modify an occupational pension scheme.

**18.** The power to make an order under Article 69 authorising the modification of an occupational pension scheme or modifying the scheme.

**19.** The power to make an order under Article 71A modifying an occupational pension scheme with a view to ensuring that it is properly wound up.

**Changes to legislation:**

The Pensions (Northern Ireland) Order 2005, PART 2 is up to date with all changes known to be in force on or before 17 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\(b\)](#)