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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 48**

**The Pensions (2005 Order) (Commencement  
No. 1 and Consequential and Transitional  
Provisions) Order (Northern Ireland) 2005**

*Citation, interpretation and appointed days*

**Citation and interpretation**

1.—(1) This Order may be cited as the Pensions (2005 Order) (Commencement No. 1 and Consequential and Transitional Provisions) Order (Northern Ireland) 2005.

(2) In this Order –

“the Order” means the Pensions (Northern Ireland) Order 2005;

“the Deficiency on Winding Up Regulations” means the Occupational Pension Schemes (Deficiency on Winding Up, etc.) Regulations (Northern Ireland) 1996(1);

“the Winding Up Regulations” means the Occupational Pension Schemes (Winding Up) Regulations (Northern Ireland) 1996(2).

**Appointed days**

2.—(1) The day appointed for the coming into operation of the provisions of the Order specified in Part 1 of the Schedule is 25th February 2005.

(2) The day appointed for the coming into operation of the provisions of the Order specified in Part 2 of the Schedule –

(a) for the purpose only of authorising the making of regulations or orders, as the case may be, is 25th February 2005, and

(b) for all other purposes, is 8th March 2005.

(3) The day appointed for the coming into operation of the provisions of the Order specified in Part 3 of the Schedule –

(a) for the purpose only of authorising the making of regulations, is 25th February 2005, and

(b) for all other purposes, is 1st April 2005.

(4) Subject to paragraphs (8) and (10), the day appointed for the coming into operation of the provisions of the Order specified in Part 4 of the Schedule –

(a) for the purpose only of authorising the making of regulations, orders or rules, as the case may be, is 25th February 2005, and

(b) for all other purposes, is 6th April 2005.

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(1) S.R. 1996 No. 585; relevant amending regulations are S.R. 1997 Nos. 160 and 544

(2) S.R. 1996 No. 621; relevant amending regulations are S.R. 1997 No. 160

(5) The day appointed for the coming into operation of the provisions of the Order specified in Part 5 of the Schedule is 8th March 2005.

(6) The day appointed for the coming into operation of the provisions of the Order specified in Part 6 of the Schedule is 1st April 2005.

(7) Subject to paragraph (12), the day appointed for the coming into operation of the provisions of the Order specified in Part 7 of the Schedule is 6th April 2005.

(8) Paragraph (4) does not apply as respects Article 247 of the Order, so far as it affects Articles 73 and 74 of the 1995 Order as they apply immediately before 6th April 2005 to any scheme which –

- (a) was regarded at that time by virtue of regulation 2 of the Winding Up Regulations as having begun to be wound up for the purposes of those Regulations, or
- (b) in accordance with Article 121(4) to (8)(3) of the 1995 Order began to wind up before that date.

(9) In paragraph (8) the reference to a scheme includes a reference to any section of a scheme to which Articles 73 and 74 of the 1995 Order apply as if it were a scheme by virtue of regulation 12(4) of the Winding Up Regulations.

(10) Paragraph (4) does not apply as respects Article 248 of the Order, so far as it affects Article 75 of the 1995 Order as it applies immediately before 6th April 2005 to –

- (a) any scheme other than a money purchase scheme in the case of which a debt to the trustees or managers of the scheme has been treated as arising under Article 75(1) of the 1995 Order before that date;
- (b) any scheme regarded at that time by virtue of regulation 2(5) of the Deficiency on Winding Up Regulations as having begun to be wound up for the purposes of those Regulations, or
- (c) any scheme which in accordance with Article 121(4) to (8) of the 1995 Order began to wind up before that date.

(11) In paragraph (10) the reference to a scheme includes a reference to any section of a scheme to which Article 75 of the 1995 Order applies as if it were a scheme by virtue of regulation 4(6) or 8 of the Deficiency on Winding Up Regulations.

(12) Paragraph (7) does not apply as respects Article 242 of the Order, so far as it affects any period of paternity leave or adoption leave which began before 6th April 2005.

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(3) Article 121(4) to (8) was inserted by section 45(2) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)

(4) Regulation 12 was amended by paragraph 12 of the Schedule to [S.R. 1997 No. 160](#)

(5) Regulation 2 was amended by paragraph 9(2) of the Schedule to [S.R. 1997 No. 160](#) and regulation 4 of [S.R. 1997 No. 544](#)

(6) Regulation 4 was amended by paragraph 9(3) of the Schedule to [S.R. 1997 No. 160](#)