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STATUTORY RULES OF NORTHERN IRELAND

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**2006 No. 311**

**The Dissolution etc. (Pension Protection Fund) Regulations (Northern Ireland) 2006**

**Modification of the Dissolution etc. (Pensions) Regulations (Northern Ireland) 2005**

5. The Dissolution etc. (Pensions) Regulations (Northern Ireland) 2005<sup>(1)</sup> are modified so that, in relation to a modified pension attachment order, they apply as if—

- (a) after regulation 7 there were inserted—

**“Pension attachment: discharge of liability of the Board**

7A.—(1) This regulation applies where—

- (a) the Board has assumed responsibility for a pension arrangement as mentioned in paragraph 32(2) of Schedule 15; and
- (b) the Board has given notice that it has so assumed responsibility to members and beneficiaries of the pension arrangement in compliance with regulation 3(6) of the Pension Protection Fund (Provision of Information) Regulations (Northern Ireland) 2005<sup>(2)</sup>.

(2) Where—

- (a) any of the events set out in regulation 6(2) have occurred; and
- (b) the other civil partner has not, before receiving the notice referred to in paragraph (1)(b) above, given notice of that event to the person responsible for the pension arrangement in accordance with regulation 6(3),

the other civil partner shall, within 14 days of the event, give notice of it to the Board.

(3) Paragraph (4) applies where it is not reasonably practicable for the Board to make a payment to the other civil partner as required by the order because—

- (a) of the inaccuracy of the particulars supplied by the other civil partner under rule 2.73 for any purpose mentioned in regulation 4(3)(c); or
- (b) the other civil partner has failed to give notice that the particulars have ceased to be accurate.

(4) Where this paragraph applies, the Board—

- (a) may instead make the payment due to the other civil partner to the civil partner entitled to PPF compensation; and
- (b) shall then be discharged of liability to the other civil partner to the extent of that payment.

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(1) S.R. 2005 No. 484.

(2) S.R. 2005 No. 129 as amended by S.R. 2005 No. 357, S.R. 2005 No. 381 and S.R. 2006 No. 140.

(5) Where an event set out in regulation 6(2)(b) has occurred and, because the other civil partner has failed to give notice in accordance with paragraph (2), the Board makes a payment to the other civil partner as required by the order—

- (a) its liability to the civil partner entitled to PPF compensation shall be discharged to the extent of that payment; and
- (b) the other civil partner shall, within 14 days of the payment being made, make a payment to the civil partner entitled to PPF compensation to the extent of that payment.

(6) In this regulation, “the Board” has the meaning given in paragraph 32 of Schedule 15 and “PPF compensation” has the meaning given in paragraph 25(3) of that Schedule.”; and

- (b) in regulation 8, for “or 7” there were substituted “, 7 or 7A”.