

2006 No. 95 (C. 7)

PENSIONS

**The Pensions (2005 Order) (Commencement No. 9) Order
(Northern Ireland) 2006**

Made - - - -

8th March 2006

The Department for Social Development makes the following Order in exercise of the powers conferred by Article 1(2) of the Pensions (Northern Ireland) Order 2005(a).

Citation and interpretation

1.—(1) This Order may be cited as the Pensions (2005 Order) (Commencement No. 9) Order (Northern Ireland) 2006.

(2) In this Order “the Order” means the Pensions (Northern Ireland) Order 2005.

Appointed days

2. The day appointed for the coming into operation of the provisions of the Order specified in—

(a) Part 1 of the Schedule—

(i) for the purpose only of authorising the making of regulations, is 9th March 2006, and

(ii) for all other purposes, is 6th April 2006;

(b) Part 2 of the Schedule is 1st April 2006, and

(c) Part 3 of the Schedule is 6th April 2006.

Sealed with the Official Seal of the Department for Social Development on 8th March 2006.



Philip Angus

A senior officer of the Department for Social Development

(a) S.I. 2005/255 (N.I. 1)

SCHEDULE

Article 2

PART 1

PROVISIONS OF THE ORDER COMING INTO OPERATION ON 9th MARCH
2006 FOR THE PURPOSE ONLY OF AUTHORISING THE MAKING OF
REGULATIONS, AND ON 6th APRIL 2006 FOR ALL OTHER PURPOSES

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 226(2)	Requirement for knowledge and understanding: supplementary
Articles 227 and 228	Payment of surplus to employer and transitional power to amend scheme

PART 2

PROVISIONS OF THE ORDER COMING INTO OPERATION ON 1st APRIL 2006

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 135(8), in so far as not already in operation	Application for reconsideration
Article 160(8), in so far as not already in operation	Amounts to be raised by the pension protection levies

PART 3

PROVISIONS OF THE ORDER COMING INTO OPERATION ON
6th APRIL 2006

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 14, in so far as not already in operation	Pension liberation: interpretation
Article 81, in so far as not already in operation	Disclosure for facilitating exercise of functions by other supervisory authorities
Article 100	Disclosure of information
Article 144(7), in so far as not already in operation	Transfer notice
Article 149	Guaranteed minimum pensions
Article 153(1) and (2)(a) to (c)	Discharge of liabilities in respect of compensation
Article 186, in so far as not already in operation	Articles 172 to 185: interpretation
Articles 224 and 225, and 226, in so far as not already in operation	Requirement for knowledge and understanding: individual trustees, corporate trustees and supplementary
Article 231	Representative of non-European scheme to be treated as trustee
Article 244	Voluntary contributions
Article 245	Payments made by employers to personal pension schemes
Article 279(2)(j) and (k), (4) and (5)	Overriding requirements
Article 294	Pre-consolidation amendments

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Schedule 4, paragraph 2(2), in so far as not already in operation, and Article 101(3) in so far as it relates to that paragraph	The Board of the Pension Protection Fund: delegation
Schedule 10, paragraphs 2, 5, 6, 7(1), in so far as it relates to sub-paragraph (2), and (2), 10 to 13, 17, 18, 22, 24, 28, 42, 51(a) to (c), and (d) in so far as it relates to the omission of “either of”, and 52, 56 in so far as not already in operation, 58, 59, 65 and 70(3), in so far as not already in operation, and Article 290(1) in so far as it relates to those paragraphs	Consequential amendments
Schedule 11, in so far as it relates to the repeals there specified in relation to— the Pension Schemes (Northern Ireland) Act 1993, sections 107, 107A(10), 107(B), 128, 144(4)(ba) and (bb), 145(1), (1A), (1B), (3), (6) and (8), 147(1) and (3), 154 and 172(6)(b) and in section 176(1) the definition of “voluntary contribution requirements” and Schedule 8; the Pensions (Northern Ireland) Order 1995, Articles 38(2)(b), 69, 71A(4), 72B(7) and (8)(b), 76, 85(5)(a), 86(4)(a), 115(3), 116, 121(1) in so far as it relates to the definitions of “member-nominated director” and “member-nominated trustee” and 139(5) and paragraphs 10 and 36(a)(ii) of Schedule 1 and Schedule 4; the Welfare Reform and Pensions (Northern Ireland) Order 1999, paragraphs 2(1)(a) and 11 of Schedule 2 and paragraph 28(3) of Schedule 9; the Child Support, Pensions and Social Security Act (Northern Ireland) 2000, section 38(7) and paragraphs 9 and 10(2), (3) and (4) of Schedule 5 and Schedule 9, and Article 291 in so far as it relates to those provisions	Repeals

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order provides for the coming into operation of provisions of the Pensions (Northern Ireland) Order 2005 as follows—

9th March 2006 for provisions relating to the obligations of trustees of occupational pension schemes for the purpose only of authorising the making of regulations, and for all other purposes, on 6th April 2006;

1st April 2006 for provisions relating to applications for reconsideration and amounts to be raised by the pension protection levies, and

6th April 2006 for provisions relating to the Pensions Regulator, the Board of the Pension Protection Fund, other miscellaneous provisions, consequential amendments and repeals.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order.)

The following provisions of the Pensions (Northern Ireland) Order 2005 have been brought into operation by earlier commencement orders as from the dates shown.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Article 2 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
(partially)	1st June 2005	2005 No. 280 (C. 20)
Article 3 (partially)	25th February 2005, 1st April 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 4 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 5	25th February 2005	2005 No. 48 (C. 5)
Article 6	6th April 2005	2005 No. 48 (C. 5)
Article 7 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
(partially)	6th April 2005	2005 No. 166 (C. 12)
Article 8 (partially)	25th February 2005	2005 No. 48 (C. 5)
Articles 9 to 13	6th April 2005	2005 No. 48 (C. 5)
Article 14 (partially)	6th April 2005	2005 No. 48 (C. 5)
Article 15 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 16 (partially)	6th April 2005	2005 No. 48 (C. 5)
Article 17 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 18	6th April 2005	2005 No. 48 (C. 5)
Articles 19 and 20 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Articles 21 to 25	6th April 2005	2005 No. 48 (C. 5)
Article 26 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Articles 27 to 31	6th April 2005	2005 No. 48 (C. 5)
Article 32 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 33	6th April 2005	2005 No. 48 (C. 5)
Article 34 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Articles 35 and 36	6th April 2005	2005 No. 48 (C. 5)
Articles 37 and 38 (partially)	6th April 2005	2005 No. 48 (C. 5)
Articles 39 to 41 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 42	6th April 2005	2005 No. 48 (C. 5)
Article 43 (partially)	6th April 2005	2005 No. 48 (C. 5)
Articles 44 and 45	6th April 2005	2005 No. 48 (C. 5)
Article 46 (partially)	6th April 2005	2005 No. 48 (C. 5)
Article 47	6th April 2005	2005 No. 48 (C. 5)
Article 48 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Articles 49 to 52	6th April 2005	2005 No. 48 (C. 5)
Article 53 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 54	6th April 2005	2005 No. 48 (C. 5)
Article 55 (partially)	25th February 2005, 1st April 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 56 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Articles 57 to 63	6th April 2005	2005 No. 48 (C. 5)
Article 64 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Articles 65 to 80	6th April 2005	2005 No. 48 (C. 5)
Article 81 (partially)	6th April 2005	2005 No. 48 (C. 5)
Articles 82 to 84	6th April 2005	2005 No. 48 (C. 5)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Article 85 (partially)	6th April 2005	2005 No. 48 (C. 5)
(partially)	14th November 2005	2005 No. 411 (C. 32)
Article 86 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 87	6th April 2005	2005 No. 48 (C. 5)
Article 88 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 89	6th April 2005	2005 No. 48 (C. 5)
Articles 90 and 91 (partially)	6th April 2005	2005 No. 48 (C. 5)
Article 92 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Articles 93 to 95	6th April 2005	2005 No. 48 (C. 5)
Article 96 (partially)	6th April 2005	2005 No. 48 (C. 5)
Articles 97 and 98 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 99	6th April 2005	2005 No. 48 (C. 5)
Article 101 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
(partially)	1st September 2005	2005 No. 411 (C. 32)
(partially)	9th December 2005	2005 No. 543 (C. 37)
Article 103 (partially)	25th February 2005 and 1st April 2005	2005 No. 48 (C. 5)
Article 104 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 105 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
(partially)	30th June 2005	2005 No. 321 (C. 24)
Articles 106 and 107 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 108	6th April 2005	2005 No. 48 (C. 5)
Article 109 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 110 (partially)	25th February 2005, 8th March 2005, 1st April 2005 and 6th April 2005	2005 No. 48 (C. 5)
Articles 111 and 112	6th April 2005	2005 No. 48 (C. 5)
Articles 113 and 114 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 115	6th April 2005	2005 No. 48 (C. 5)
Article 116 (partially)	6th April 2005	2005 No. 48 (C. 5)
Articles 117 to 119 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Articles 120 and 121	6th April 2005	2005 No. 48 (C. 5)
Articles 122 to 125 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 126	6th April 2005	2005 No. 48 (C. 5)
Article 127 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 128	6th April 2005	2005 No. 48 (C. 5)
Articles 129 to 132 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 133	6th April 2005	2005 No. 48 (C. 5)
Articles 134 to 136 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Articles 138 and 144 (partially)	6th April 2005	2005 No. 48 (C. 5)
Article 145 (partially)	6th April 2005	2005 No. 48 (C. 5)
(partially)	1st January 2006 and 6th April 2006	2005 No. 543 (C. 37)
Article 146 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 147 (partially)	1st January 2006 and 6th April 2006	2005 No. 543 (C. 37)
Article 148	6th April 2005	2005 No. 192 (C. 14)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Article 150 (partially)	1st January 2006 and 6th April 2006	2005 No. 543 (C. 37)
Article 151 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 152 (partially)	1st January 2006	2005 No. 543 (C. 37)
Articles 154 and 155 (partially)	1st January 2006 and 6th April 2006	2005 No. 543 (C. 37)
Article 156 (partially)	6th April 2005	2005 No. 48 (C. 5)
(partially)	1st September 2005	2005 No. 321 (C. 24)
Article 157 (partially)	25th February 2005 and 1st April 2005	2005 No. 48 (C. 5)
Article 158 (partially)	6th April 2005	2005 No. 48 (C. 5)
(partially)	20th June 2005	2005 No. 280 (C. 20)
(partially)	9th December 2005	2005 No. 543 (C. 37)
Article 159 (partially)	31st May 2005 and 20th June 2005	2005 No. 280 (C. 20)
Article 160 (partially)	9th December 2005	2005 No. 543 (C. 37)
Article 161	9th December 2005	2005 No. 543 (C. 37)
Article 162 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 163 (partially)	9th December 2005	2005 No. 543 (C. 37)
Article 164 (partially)	25th February 2005 and 1st April 2005	2005 No. 48 (C. 5)
(partially)	9th December 2005	2005 No. 543 (C. 37)
Articles 165 and 166 (partially)	14th July 2005 and 1st September 2005	2005 No. 321 (C. 24)
Article 167	1st September 2005	2005 No. 321 (C. 24)
Articles 168 and 169 (partially)	14th July 2005 and 1st September 2005	2005 No. 321 (C. 24)
Article 171 (partially)	25th February 2005 and 1st April 2005	2005 No. 48 (C. 5)
(partially)	1st January 2006 and 1st April 2006	2005 No. 543 (C. 37)
Article 172 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 173	25th February 2005	2005 No. 48 (C. 5)
Article 174	6th April 2005	2005 No. 48 (C. 5)
Article 175 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Articles 176 to 184	6th April 2005	2005 No. 48 (C. 5)
Article 185 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 186 (partially)	6th April 2005	2005 No. 48 (C. 5)
Article 187	6th April 2005	2005 No. 48 (C. 5)
Article 188 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
(partially)	1st September 2005	2005 No. 411 (C. 32)
Articles 189 and 190 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 191 (partially)	25th February 2005, 1st April 2005 and 6th April 2005	2005 No. 48 (C. 5)
Articles 192 and 193 (partially)	1st July 2005 and 21st July 2005	2005 No. 321 (C. 24)
Articles 194 to 197	21st July 2005	2005 No. 321 (C. 24)
Article 198	6th April 2005	2005 No. 48 (C. 5)
Article 199	1st January 2006	2005 No. 543 (C. 37)
Articles 200 to 212 (partially)	6th December 2005 and 30th December 2005	2005 No. 543 (C. 37)
Article 216 (partially)	1st July 2005, 22nd September 2005 and 6th April 2006	2005 No. 321 (C. 24)
Articles 218 and 219 (partially)	1st November 2005 and 6th April 2006	2005 No. 411 (C. 32)
Article 220	1st November 2005	2005 No. 411 (C. 32)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Articles 221 to 223 (partially)	6th December 2005 and 30th December 2005	2005 No. 543 (C. 37)
Article 229 (partially)	1st July 2005 and 22nd September 2005	2005 No. 321 (C. 24)
Article 230 (partially)	1st January 2006 and 6th April 2006	2005 No. 543 (C. 37)
Article 232 (partially)	1st July 2005 and 22nd September 2005	2005 No. 321 (C. 24)
Article 233	30th June 2005	2005 No. 321 (C. 24)
Article 234	6th April 2005	2005 No. 48 (C. 5)
Article 235 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Articles 236 to 238 (partially)	1st January 2006 and 6th April 2006	2005 No. 543 (C. 37)
Article 239 (partially)	1st November 2005 and 6th April 2006	2005 No. 411 (C. 32)
Article 240	6th April 2005	2005 No. 48 (C. 5)
Article 241 (partially)	1st January 2006 and 6th April 2006	2005 No. 543 (C. 37)
Articles 242 and 243	6th April 2005	2005 No. 48 (C. 5)
Article 246 (partially)	1st July 2005 and 6th April 2006	2005 No. 321 (C. 24)
Articles 247 and 248 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Article 249	25th March 2005	2005 No. 166 (C. 12)
Articles 252 and 253	6th April 2005	2005 No. 48 (C. 5)
Article 254	25th February 2005	2005 No. 48 (C. 5)
Article 255 (partially)	25th March 2005	2005 No. 166 (C. 12)
	6th April 2005	2005 No. 48 (C. 5)
Article 256	6th April 2005	2005 No. 48 (C. 5)
Article 257 (partially)	25th March 2005	2005 No. 166 (C. 12)
	6th April 2005	2005 No. 48 (C. 5)
Article 259	6th April 2005	2005 No. 48 (C. 5)
Article 260	1st July 2005	2005 No. 321 (C. 24)
Article 261 (partially)	1st July 2005 and 6th April 2006	2005 No. 321 (C. 24)
Article 262	6th April 2005	2005 No. 48 (C. 5)
Article 263 (partially)	6th December 2005, 30th December 2005, 30th March 2006 and 29th August 2006	2005 No. 543 (C. 37)
Articles 264 to 271 (partially)	6th December 2005 and 30th December 2005	2005 No. 543 (C. 37)
Article 274 (partially)	6th April 2005	2005 No. 48 (C. 5)
Article 275	6th April 2005	2005 No. 48 (C. 5)
Article 276	1st September 2005	2005 No. 411 (C. 32)
Article 279 (partially)	1st September 2005	2005 No. 411 (C. 32)
(partially)	6th December 2005 and 30th December 2005	2005 No. 543 (C. 37)
Article 280 (partially)	25th February 2005, 8th March 2005 and 6th April 2005	2005 No. 48 (C. 5)
Articles 282 to 284 and 286	1st September 2005	2005 No. 411 (C. 32)
Article 287 (partially)	6th December 2005 and 30th December 2005	2005 No. 543 (C. 37)
Article 290 (partially)	25th February 2005, 1st April 2005 and 6th April 2005	2005 No. 48 (C. 5)
(partially)	6th April 2005	2005 No. 166 (C. 12)
(partially)	30th June 2005, 14th July 2005, 1st September 2005 and 22nd September 2005	2005 No. 321 (C. 24)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
(partially)	1st September 2005 and 22nd September 2005	2005 No. 411 (C. 32)
(partially)	6th December 2005, 9th December 2005, 30th December 2005, 1st January 2006 and 6th April 2006	2005 No. 543 (C. 37)
(partially)	15th February 2006	2006 No. 45 (C. 4)
Article 291 (partially)	25th February 2005, 1st April 2005 and 6th April 2005	2005 No. 48 (C. 5)
(partially)	1st April 2005 and 6th April 2005	2005 No. 166 (C. 12)
(partially)	6th April 2005	2005 No. 192 (C. 14)
(partially)	1st September 2005 and 6th April 2006	2005 No. 321 (C. 24)
(partially)	1st September 2005 and 22nd September 2005	2005 No. 411 (C. 32)
(partially)	6th December 2005, 9th December 2005, 30th December 2005 and 6th April 2006	2005 No. 543 (C. 37)
Article 292	1st July 2005	2005 No. 321 (C. 24)
Schedule 1 (partially)	25th February 2005, 1st April 2005 and 6th April 2005	2005 No. 48 (C. 5)
(partially)	25th March 2005 and 6th April 2005	2005 No. 166 (C. 12)
Schedule 2	6th April 2005	2005 No. 166 (C. 12)
Schedule 3	6th April 2005	2005 No. 48 (C. 5)
Schedule 4 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
(partially)	1st September 2005	2005 No. 411 (C. 32)
Schedule 5	6th April 2006	2005 No. 543 (C. 37)
Schedule 6 (partially)	25th February 2005 and 6th April 2005	2005 No. 48 (C. 5)
Schedule 7	6th April 2005	2005 No. 48 (C. 5)
Schedule 8 (partially)	6th April 2005	2005 No. 48 (C. 5)
(partially)	1st September 2005	2005 No. 321 (C. 24)
Schedule 10 (partially)	25th February 2005, 1st April 2005 and 6th April 2005	2005 No. 48 (C. 5)
(partially)	25th March 2005 and 6th April 2005	2005 No. 166 (C. 12)
(partially)	30th June 2005, 14th July 2005, 1st September 2005 and 22nd September 2005	2005 No. 321 (C. 24)
(partially)	1st September 2005 and 22nd September 2005	2005 No. 411 (C. 32)
(partially)	6th December 2005, 9th December 2005, 30th December 2005, 1st January 2006 and 6th April 2006	2005 No. 543 (C. 37)
(partially)	15th February 2006	2006 No. 45 (C. 4)
Schedule 11 (partially)	25th February 2005, 1st April 2005 and 6th April 2005	2005 No. 48 (C. 5)
(partially)	1st April 2005 and 6th April 2005	2005 No. 166 (C. 12)
(partially)	6th April 2005	2005 No. 192 (C. 14)
(partially)	1st September 2005 and 6th April 2006	2005 No. 321 (C. 24)
(partially)	1st September 2005 and 22nd September 2005	2005 No. 411 (C. 32)
(partially)	6th December 2005, 9th December 2005, 30th December 2005 and 6th April 2006	2005 No. 543 (C. 37)

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