

**2009 No. 106**

**PENSIONS**

**The Pensions Regulator (Miscellaneous Amendments)  
Regulations (Northern Ireland) 2009**

*Made* - - - - - *13th March 2009*

*Coming into operation* - - - - - *6th April 2009*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by Articles 39(9) and 64(2) of the Pensions (Northern Ireland) Order 2005(a).

**Citation and commencement**

1. These Regulations may be cited as the Pensions Regulator (Miscellaneous Amendments) Regulations (Northern Ireland) 2009 and shall come into operation on 6th April 2009.

**Amendment of the Pensions Regulator (Notifiable Events) Regulations**

2.—(1) The Pensions Regulator (Notifiable Events) Regulations (Northern Ireland) 2005(b) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 1(2) (interpretation) omit the definitions of “key employer posts” and “key scheme posts”.

(3) In regulation 2(c) (notifiable events)—

- (a) in paragraph (1) omit sub-paragraph (b);
- (b) in paragraph (2) omit sub-paragraphs (e) and (g).

**Amendment of the Pensions Regulator (Financial Support Directions, etc.) Regulations**

3. For regulation 5 of the Pensions Regulator (Financial Support Directions, etc.) Regulations (Northern Ireland) 2005(d) (prescribed period) substitute—

**“Prescribed period**

5.—(1) Subject to paragraph (2), the period prescribed for the purposes of Article 39(9) (financial support directions – prescription of relevant time) is 24 months.

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(a) S.I. 2005/255 (N.I. 1)  
(b) S.R. 2005 No. 172 as amended by S.R. 2005 No. 357  
(c) Regulation 2 was amended by regulation 9 of S.R. 2005 No. 357  
(d) S.R. 2005 No. 378

(2) Until 6th April 2010 (“the transition date”) the period in paragraph (1) is reduced by a period equal to the number of complete months remaining until the transition date.

(3) For the purposes of paragraph (2), a complete month means a period from and including the sixth day of a month to and including the fifth day of the following month.”.

Sealed with the Official Seal of the Department for Social Development on 13th March 2009

(L.S.)

*John O’Neill*

A senior officer of the Department for Social Development

### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Pensions Regulator (Notifiable Events) Regulations (Northern Ireland) 2005 (“the Notifiable Events Regulations”) and the Pensions Regulator (Financial Support Directions, etc.) Regulations (Northern Ireland) 2005 (“the Financial Support Directions Regulations”).

Regulation 1 provides for citation and commencement.

Regulation 2 amends the Notifiable Events Regulations by omitting certain provisions of regulation 2 of those Regulations which concern the reporting of certain scheme and employer-related events to the Pensions Regulator.

Regulation 3 amends the Financial Support Directions Regulations by substituting regulation 5 of those Regulations with a new provision which specifies the period within which the Pensions Regulator may determine to issue a financial support direction under Article 39(2) of the Pensions (Northern Ireland) Order 2005 (“the Order”).

As these Regulations make in relation to Northern Ireland only provision corresponding to provision contained in regulations made by the Secretary of State for Work and Pensions in relation to Great Britain, the requirement to consult under Article 289(1) of the Order does not apply by virtue of paragraph (2)(e) of that Article.

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