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STATUTORY RULES OF NORTHERN IRELAND

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**2010 No. 122**

The Occupational and Personal Pension Schemes  
(Automatic Enrolment) Regulations (Northern Ireland) 2010

PROSPECTIVE

PART 13

Non-UK Pension Schemes

**Quality requirements: non-UK occupational pension schemes**

**45.—(1)** A money purchase scheme within section 18(b) or (c) (occupational pension schemes) satisfies the quality requirement for the purposes of section 25 in relation to a jobholder—

- (a) if it satisfies the requirements for a money purchase scheme under section 20(1), or
- (b) if Article 6 of Directive 98/49/EC of the European Council of 29th June 1998 on safeguarding the supplementary pension rights of employed and self employed persons moving within the [F1European Union](1) applies in relation to the jobholder and the scheme is a supplementary pension scheme within the meaning given by Article 3(b) of that Directive.

(2) For the purposes of paragraph (1), section 20(1) is to be read as if for “that has its main administration in the United Kingdom” there were substituted “within section 18(b) or (c)”.

(3) A defined benefits scheme within section 18(b) or (c) satisfies the quality requirement for the purposes of section 25 in relation to the jobholder—

- (a) if it satisfies the requirements for a defined benefits scheme under sections 21 to 23, or
- (b) if Article 6 of Directive 98/49/EC of the European Council of 29th June 1998 on safeguarding the supplementary pension rights of employed and self employed persons moving within the [F1European Union] applies in relation to the jobholder and the scheme is a supplementary pension scheme within the meaning given by Article 3(b) of that Directive.

(4) For the purposes of paragraph (3), section 21 is to be read as if for “that has its main administration in the United Kingdom” there were substituted “within section 18(b) or (c)”.

(5) Section 24 (quality requirement: UK hybrid schemes) applies to any hybrid scheme within section 18(b) or (c) as it applies to a hybrid scheme that has its main administration in the United Kingdom.

(6) For the purposes of paragraph (5)—

- (a) the reference in section 24(1)(a) to the requirements for a money purchase scheme under section 20, and

**Status:** This version of this provision is prospective.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations (Northern Ireland) 2010*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (b) the reference in section 24(1)(b) to the requirements for a defined benefits scheme under sections 21 to 23,  
are to be read subject to the modifications made by paragraphs (2) and (4).
- (7) Accordingly, a hybrid scheme within section 18(b) or (c) satisfies the quality requirement for the purposes of section 25 in relation to the jobholder if the scheme falls within a description of hybrid schemes specified in any rule made under section 24(2) to (4) and either—
- (a) the scheme satisfies such of the requirements referred to in paragraph (6)(a) or (b) as the rule in question may specify as being appropriate to schemes of that description, subject to any prescribed modification of those requirements which is referred to in that rule, or
  - (b) the requirement is that Article 6 of Directive 98/49/EC of the European Council of 29th June 1998 on safeguarding the supplementary pension rights of employed and self employed persons moving within the [F1European Union] applies in relation to the jobholder and the scheme is a supplementary pension scheme within the meaning given by Article 3(b) of that Directive.

#### Textual Amendments

- F1** Words in Regulations substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 2, 3-6

#### Commencement Information

- II** Reg. 45 in operation at 1.10.2012, see [reg. 1\(1\)](#)

**Status:**

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**Changes and effects yet to be applied to :**

- Regulations modified by [S.R. 2015/122 reg. 4](#)
- Part 7A inserted by [S.R. 2012/237 reg. 2\(3\)](#)
- reg. 45 coming into force by [S.R. 2010/122 reg. 1\(1\)](#)
- reg. 45(1)-(5) word substituted by [S.I. 2019/193 reg. 29\(7\)\(a\)](#)
- reg. 45(1)(b) and word omitted by [S.I. 2019/193 reg. 29\(7\)\(b\)](#)
- reg. 45(3)(a) word substituted by [S.R. 2015/310 reg. 12\(a\)](#)
- reg. 45(3)(b) and word omitted by [S.I. 2019/193 reg. 29\(7\)\(b\)](#)
- reg. 45(4) words substituted by [S.R. 2015/310 reg. 12\(b\)](#)
- reg. 45(6)(b) word substituted by [S.R. 2015/310 reg. 12\(a\)](#)
- reg. 45(7) word substituted by [S.I. 2019/193 reg. 29\(7\)\(a\)](#)
- reg. 45(7)(b) and word omitted by [S.I. 2019/193 reg. 29\(7\)\(b\)](#)

**Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:**

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Pt. 1A inserted by [S.R. 2012/238 reg. 2](#)
- Pt. 1A heading words added by [S.R. 2015/310 reg. 4](#)
- Pt. 7B inserted by [S.R. 2015/310 reg. 10](#)
- Sch. 1 Sch. renumbered as Sch. 1 by [S.R. 2012/232 reg. 2\(26\)](#)
- Sch. 1 substituted by [S.R. 2013/243 reg. 4\(11\)Sch.](#)
- Sch. 2 added by [S.R. 2012/232 reg. 2\(27\)Sch.](#)
- Sch. 2 added by [S.R. 2012/232 reg. 2\(27\)Sch.](#)
- Sch. 2 para. 3 omitted by [S.R. 2015/310 reg. 13\(c\)](#)
- Sch. 2 para. 7 omitted by [S.R. 2015/310 reg. 13\(c\)](#)
- Sch. 2 para. 19 omitted by [S.R. 2015/310 reg. 13\(c\)](#)
- Sch. 2 para. 23 omitted by [S.R. 2015/310 reg. 13\(c\)](#)
- Sch. 2 para. 25 omitted by [S.R. 2015/310 reg. 13\(c\)](#)
- Sch. 2 para. 1 substituted by [S.R. 2015/310 reg. 13\(b\)](#)
- Sch. 2 para. 18 substituted by [S.R. 2015/310 reg. 13\(e\)](#)
- Sch. 2 para. 6 words substituted by [S.R. 2015/310 reg. 13\(d\)](#)
- Sch. 2 words substituted by [S.R. 2015/310 reg. 13\(a\)](#)
- reg. 5B-5F inserted by [S.R. 2015/310 reg. 5](#)
- reg. 5D(1)(d) word substituted by [S.R. 2017/38 reg. 2\(a\)](#)
- reg. 5D(1)(e) added by [S.R. 2017/38 reg. 2\(b\)](#)
- reg. 5E(1)(c) substituted by [S.R. 2016/142 reg. 2\(2\)](#)
- reg. 5F(1)(a) words substituted by [S.R. 2016/142 reg. 2\(4\)](#)
- reg. 5EA-5EB inserted by [S.R. 2016/142 reg. 2\(3\)](#)
- reg. 9(6)(a)(aa) substituted for reg. 9(6)(a) by [S.R. 2013/243 reg. 4\(6\)\(a\)](#)
- reg. 9(8) added by [S.R. 2013/243 reg. 4\(6\)\(b\)](#)
- reg. 24(1)(1A)(1B) substituted for reg. 24(1) by [S.R. 2015/310 reg. 8\(a\)](#)
- reg. 24(3) words substituted by [S.R. 2013/243 reg. 4\(4\)](#)
- reg. 27(b) words substituted by [S.R. 2013/243 reg. 4\(4\)](#)

- reg. 27(c) words substituted by S.R. 2015/310 reg. 9
- reg. 29(a)(aa) substituted for reg. 29(a) by S.R. 2012/232 reg. 2(14)
- reg. 32E(1) words omitted by S.I. 2019/193 reg. 29(2)
- reg. 32E(1) words substituted by S.R. 2022/191 reg. 35Sch. 7 para. 2(2)(a)
- reg. 32E(1) words substituted by S.R. 2023/117 Sch. 7 para. 2(2)(a)
- reg. 32E(1) words substituted by S.R. 2023/7 Sch. 7 para. 2(2)(a)
- reg. 32E(1) words substituted by S.R. 2024/15 Sch. 7 para. 2(2)(a)
- reg. 32E(1A) inserted by S.R. 2022/191 reg. 35Sch. 7 para. 2(2)(b)
- reg. 32E(1A) inserted by S.R. 2023/117 Sch. 7 para. 2(2)(b)
- reg. 32E(1A) inserted by S.R. 2023/7 Sch. 7 para. 2(2)(b)
- reg. 32E(1A) inserted by S.R. 2024/15 Sch. 7 para. 2(2)(b)
- reg. 32G(1) words inserted by S.R. 2022/191 reg. 35Sch. 7 para. 2(4)
- reg. 32G(1) words inserted by S.R. 2023/117 Sch. 7 para. 2(4)
- reg. 32G(1) words inserted by S.R. 2023/7 Sch. 7 para. 2(4)
- reg. 32G(1) words inserted by S.R. 2024/15 Sch. 7 para. 2(4)
- reg. 32H(1A) inserted by S.R. 2022/191 reg. 35Sch. 7 para. 2(5)(a)
- reg. 32H(1A) inserted by S.R. 2023/117 Sch. 7 para. 2(5)(a)
- reg. 32H(1A) inserted by S.R. 2023/7 Sch. 7 para. 2(5)(a)
- reg. 32H(1A) inserted by S.R. 2024/15 Sch. 7 para. 2(5)(a)
- reg. 32H(2) words inserted by S.R. 2022/191 reg. 35Sch. 7 para. 2(5)(b)
- reg. 32H(2) words inserted by S.R. 2023/117 Sch. 7 para. 2(5)(b)
- reg. 32H(2) words inserted by S.R. 2023/7 Sch. 7 para. 2(5)(b)
- reg. 32H(2) words inserted by S.R. 2024/15 Sch. 7 para. 2(5)(b)
- reg. 32H(8A)-(8D) inserted by S.R. 2022/191 reg. 35Sch. 7 para. 2(5)(c)
- reg. 32H(8A)-(8D) inserted by S.R. 2023/117 Sch. 7 para. 2(5)(c)
- reg. 32H(8A)-(8D) inserted by S.R. 2023/7 Sch. 7 para. 2(5)(c)
- reg. 32H(8A)-(8D) inserted by S.R. 2024/15 Sch. 7 para. 2(5)(c)
- reg. 32H(9) words inserted by S.R. 2022/191 reg. 35Sch. 7 para. 2(5)(d)
- reg. 32H(9) words inserted by S.R. 2023/117 Sch. 7 para. 2(5)(d)
- reg. 32H(9) words inserted by S.R. 2023/7 Sch. 7 para. 2(5)(d)
- reg. 32H(9) words inserted by S.R. 2024/15 Sch. 7 para. 2(5)(d)
- reg. 32H(10) words inserted by S.R. 2022/191 reg. 35Sch. 7 para. 2(5)(e)
- reg. 32H(10) words inserted by S.R. 2023/117 Sch. 7 para. 2(5)(e)
- reg. 32H(10) words inserted by S.R. 2023/7 Sch. 7 para. 2(5)(e)
- reg. 32H(10) words inserted by S.R. 2024/15 Sch. 7 para. 2(5)(e)
- reg. 32I(1) words omitted by S.R. 2014/89 reg. 2(2)
- reg. 32J omitted by S.I. 2019/193 reg. 29(3)
- reg. 32K(1) word inserted by S.R. 2022/191 reg. 35Sch. 7 para. 2(6)(b)
- reg. 32K(1) word inserted by S.R. 2023/117 Sch. 7 para. 2(6)(b)
- reg. 32K(1) word inserted by S.R. 2023/7 Sch. 7 para. 2(6)(b)
- reg. 32K(1) word inserted by S.R. 2024/15 Sch. 7 para. 2(6)(b)
- reg. 32K(1) words inserted by S.R. 2022/191 reg. 35Sch. 7 para. 2(6)(a)
- reg. 32K(1) words inserted by S.R. 2022/191 reg. 35Sch. 7 para. 2(6)(c)
- reg. 32K(1) words inserted by S.R. 2023/117 Sch. 7 para. 2(6)(a)
- reg. 32K(1) words inserted by S.R. 2023/117 Sch. 7 para. 2(6)(c)
- reg. 32K(1) words inserted by S.R. 2023/7 Sch. 7 para. 2(6)(a)
- reg. 32K(1) words inserted by S.R. 2023/7 Sch. 7 para. 2(6)(c)
- reg. 32K(1) words inserted by S.R. 2024/15 Sch. 7 para. 2(6)(a)
- reg. 32K(1) words inserted by S.R. 2024/15 Sch. 7 para. 2(6)(c)
- reg. 32M(3) words inserted by S.R. 2016/142 reg. 2(5)(a)
- reg. 32M(4) words inserted by S.R. 2016/142 reg. 2(5)(b)
- reg. 32M(5A)-(5D) inserted by S.R. 2016/142 reg. 2(5)(c)
- reg. 32M(6) words substituted by S.R. 2016/142 reg. 2(5)(d)
- reg. 32M(9) words inserted by S.R. 2016/142 reg. 2(5)(e)(i)
- reg. 32M(9)(b) substituted by S.R. 2016/142 reg. 2(5)(e)(ii)
- reg. 32M(9)(c) words omitted by S.R. 2016/142 reg. 2(5)(e)(iii)
- reg. 32M(9)(d) substituted by S.R. 2016/142 reg. 2(5)(e)(iv)
- reg. 32M(12) words inserted by S.R. 2016/142 reg. 2(5)(f)

- reg. 32EA inserted by [S.R. 2022/191](#) reg. 35Sch. 7 para. 2(3)
- reg. 32EA inserted by [S.R. 2023/117](#) Sch. 7 para. 2(3)
- reg. 32EA inserted by [S.R. 2023/7](#) Sch. 7 para. 2(3)
- reg. 32EA and cross heading inserted by [S.R. 2024/15](#) Sch. 7 para. 2(3)
- reg. 35(1)(a)(ii)(bb) words substituted by [S.R. 2013/221](#) reg. 2(a)(i)
- reg. 35(1)(c) added by [S.R. 2013/221](#) reg. 2(a)(iii)
- reg. 35(1A) inserted by [S.R. 2013/221](#) reg. 2(b)
- reg. 36(2A) inserted by [S.R. 2014/89](#) reg. 2(3)(b)
- reg. 36(4)(b)(c) words omitted by [S.R. 2012/390](#) reg. 2(b)(ii)
- reg. 39A inserted by [S.R. 2012/232](#) reg. 2(19)
- reg. 39A substituted by [S.R. 2013/243](#) reg. 4(9)
- reg. 47A inserted by [S.R. 2012/232](#) reg. 2(22)