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STATUTORY RULES OF NORTHERN IRELAND

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**2010 No. 32**

**The Pension Protection Fund and Occupational  
Pension Schemes (Miscellaneous Amendments)  
Regulations (Northern Ireland) 2010**

**Amendment of the Pension Protection Fund (Partially Guaranteed Schemes) (Modification) Regulations**

**2.**—(1) The Pension Protection Fund (Partially Guaranteed Schemes) (Modification) Regulations (Northern Ireland) 2005<sup>(1)</sup> are amended in accordance with paragraphs (2) to (5).

(2) In regulation 1(2) (interpretation) after the definition of “partially guaranteed scheme” add—  
““secured part” means any part of a partially guaranteed scheme which is not an unsecured part;  
“the Treaty” means the Treaty on the Functioning of the European Union<sup>(2)</sup>.”.

(3) In regulation 2 (modification of Part III of the Order)—

- (a) the provisions of the regulation shall become paragraph (1) of the regulation;
- (b) in paragraph (1) for “these Regulations” substitute “regulations 3 to 11”;
- (c) after paragraph (1) add—

“(2) Paragraph (1) shall not apply where it would give rise to State aid that is incompatible with the internal market within the meaning of Article 107 of the Treaty.

(3) Regulations 2A and 11 shall apply where paragraph (1) does not apply to a partially guaranteed scheme by virtue of paragraph (2).”.

(4) After regulation 2 insert—

**“Schemes to which regulation 2(1) does not apply**

**2A.**—(1) This regulation applies to a partially guaranteed scheme to which paragraph (1) of regulation 2 does not apply by virtue of paragraph (2) of that regulation.

(2) Part III of the Order (the Board of the Pension Protection Fund) shall apply to a scheme referred to in paragraph (1) as if the unsecured part and the secured part of the scheme were separate schemes.

(3) Each part of the scheme referred to in paragraph (1) is an eligible scheme within the meaning of Article 110(1) for the purposes of Part III of the Order.”.

(5) In regulation 3 (application and effect) after paragraph (4) add—

“(5) Article 158(2)(a)(i) (pension protection levies) applies as if, for “a scheme’s assets” there were substituted “the assets of the unsecured part of a scheme”.”.

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(1) S.R. 2005 No. 55

(2) O.J. No. C115, 9.5.08, p.47