
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 95

The Pension Protection Fund and Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2013

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

3.—(1) The Pension Protection Fund (Partially Guaranteed Schemes) (Modification) Regulations (Northern Ireland) 2005(1) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 3 (application and effect)—

(a) in paragraph (1)—

(i) after sub-paragraph (c) insert—

“(ca) Article 127(5B)(b) and (c)(2) (Board’s obligation to obtain valuation of assets and protected liabilities);”;

(ii) in sub-paragraph (e) for “Article 136(9)(a)” substitute “Article 136(2B)(3), (9)(a), (10A)”;

(b) in paragraph (4)—

(i) in sub-paragraph (f) after “Article 127(2)”(4) insert “, (2A)(a), (5A)(a) and (b)”;

(ii) after sub-paragraph (f) insert—

“(fa) Article 127A(1)(b) (determinations under Article 127);”;

(iii) in sub-paragraph (i) for “Article 136(2) and (5)” substitute “Article 136(2), (2A), (2B), (5)(5) and (10A)”;

(iv) in sub-paragraph (l) for “Article 142(1) and (3)” substitute “Article 142(1), (3) and (3A)(6)”.

(3) In regulation 8 (reconsideration) for paragraph (2) substitute—

“(2) Article 136 (duty to assume responsibility following reconsideration) applies as if—

(a) in paragraph (2B), for “protected liabilities” there were substituted “protected liabilities of the unsecured part”, and

(b) in paragraph (9)(b), for “liabilities of the scheme” there were substituted “liabilities of the unsecured part”.”.

(1) *S.R. 2005 No. 55* to which there are amendments not relevant to these Regulations

(2) Paragraphs (5A) and (5B) were inserted by regulation 2(2)(a) of *S.R. 2005 No. 137* and paragraph (5B) was amended by paragraph 5(5) of Schedule 4 to the Pensions Act (Northern Ireland) 2012

(3) Paragraphs (2A) and (2B) were inserted by paragraph 15(3), and paragraph (10A) was inserted by paragraph 15(9), of Schedule 4 to the Pensions Act (Northern Ireland) 2012

(4) Paragraphs (2) and (2A) were substituted for paragraph (2) by paragraph 5(2) of Schedule 4 to the Pensions Act (Northern Ireland) 2012

(5) Paragraph (5) was amended by paragraph 15(6) of Schedule 4 to the Pensions Act (Northern Ireland) 2012

(6) Paragraphs (3) and (3A) were substituted for paragraph (3) by paragraph 11(2) of Schedule 4 to the Pensions Act (Northern Ireland) 2012

- (4) In regulation 10(1) (assumption of responsibility)—
- (a) before sub-paragraph (a) insert—
 - “(za) in paragraph (3)(7) for “determination made or valuation obtained under Article 127(2)” there were substituted “valuation obtained under Article 127”;
 - (zb) in paragraph (4)(8) “determination made or” were omitted;”;
 - (b) in sub-paragraph (b)—
 - (i) in added paragraph (8) after “as they apply in relation to a valuation” insert “ and not a determination”;
 - (ii) in added paragraph (9) for “paragraphs (5) and (11)(b)” substitute “paragraphs (5), (5A)(b), (5B)(b) and (11)(b)”.

(7) Paragraph (3) was amended by paragraph 12(2) of Schedule 4 to the Pensions Act (Northern Ireland) 2012
(8) Paragraph (4) was amended by paragraph 12(3) of Schedule 4 to the Pensions Act (Northern Ireland) 2012