
STATUTORY RULES OF NORTHERN IRELAND

2020 No. 12

The Seafarers (Collective Redundancies, Information and Consultation and Insolvency Miscellaneous Amendments) Regulations (Northern Ireland) 2020

Amendment of the Pension Schemes (Northern Ireland) Act 1993

2.—(1) Section 161 of the Pension Schemes (Northern Ireland) Act 1993(1) (Application of certain provisions to cases with foreign element) is amended as follows.

(2) For subsection (6) substitute—

“(6) Chapter 2 of Part 7 and section 153 do not apply to employment where under his worker’s contract the worker ordinarily works outside the territory of the member States, but section 201 of the Employment Rights Act 1996 (power to extend employment protection legislation) applies to Chapter 2 of Part 7 and section 153 as it does to the provisions mentioned in that Act.”.

(3) In subsection (7) omit the definition of “employment as a merchant seaman”.

(4) In consequence of the amendment made by paragraph (3), omit the amendment to section 161(7) of the Pension Schemes (Northern Ireland) Act 1993 that is made by Schedule 1 to the Employment Rights (Northern Ireland) Order 1996(2).

(5) The amendments made by paragraphs (2) to (4) only have effect in relation to employers who become insolvent (within the meaning given by section 119 of the Pension Schemes (Northern Ireland) Act 1993(3)) on or after the date on which these Regulations come into operation.

(6) The substitution made by paragraph (2) is without prejudice to the amendments made by regulation 2(6) of the Occupational and Personal Pension Schemes (Amendment etc.) (Northern Ireland) (EU Exit) Regulations 2019(4).

(1) 1993 c. 49; section 161 was amended by Schedule 1 to the Employment Rights (Northern Ireland) Order 1996 (S.I. 1996/1919 (N.I. 16)), by paragraph 72 of Schedule 1 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671) and by section 41 of the Pensions Act (Northern Ireland) 2015 (c.5). It is prospectively amended by regulation 2 of the Occupational and Personal Pension Schemes (Amendment etc.) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/193). There are other amendments which are not relevant.

(2) S.I. 1996/1919 (N.I. 16).

(3) 1993 c. 49; section 119 was amended by paragraph 53 of Schedule 2 to the Insolvency (Northern Ireland) Order 2005 (S.I. 2005/1455 (N.I. 10)) and paragraph 256 of the Schedule to the Insolvency (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/146). There are other amendments which are not relevant.

(4) S.I. 2019/193.