
STATUTORY INSTRUMENTS

2005 No. 3377

PENSIONS

**The Occupational Pension Schemes
(Scheme Funding) Regulations 2005**

Made - - - - *8th December 2005*
Laid before Parliament *9th December 2005*
Coming into force - - *30th December 2005*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by paragraph 5(3C) and (4A) of Schedule 1 to the Pension Schemes (Northern Ireland) Act 1993⁽¹⁾ and now vested in him⁽²⁾, sections 68(2)(e) and 124(1) and 174(2)(a) of the Pensions Act 1995⁽³⁾, and sections 69(2)(a), 221(1)(b) and (2), 222(3) and (4)(b) and (c), 223(1)(b) and (3), 224(1)(b), (4) and (6), 226(1) and (3) to (6), 227(3)(a) and (b) and (4), 228(2), 229(2) and (5), 230(2) and (3), 231(4), 232, 315(2), (4), (5) and (6) and 318(1) of the Pensions Act 2004⁽⁴⁾.

In accordance with section 120(1) of the Pensions Act 1995 and section 317(1) of the Pensions Act 2004, the Secretary of State has consulted such persons as he considers appropriate before making these Regulations⁽⁵⁾.

This instrument is made before the end of the period of six months beginning with the coming into force of the provisions of Part 3 of the Pensions Act 2004 by virtue of which it is made.

(1) 1993 c. 49; paragraph 5(3C) of Schedule 1 was inserted by Article 138(2) of the Pensions (Northern Ireland) Order 1995 (S.I.1995/3213 (N.I. 22)); paragraph 5(4A) of Schedule 1 was added by paragraph 77(5)(d) of Schedule 1 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I.1999/671), and is cited for the definition of “regulations”.

(2) See paragraph 5(4A) of Schedule 1 to the Pension Schemes (Northern Ireland) Act 1993.

(3) 1995 c. 26; section 124(1) is cited for the definitions of “prescribed” and “regulations”.

(4) 2004 c. 35; section 318(1) is cited for the definitions of “modifications”, “prescribed” and “regulations”.

(5) Section 120(1) of the Pensions Act 1995 provides that the Secretary of State must consult such persons as he considers appropriate before making regulations by virtue of Part 1 of that Act. Section 317(1) of the Pensions Act 2004 makes similar provision with respect to regulations under that Act. The duty under the 2004 Act does not apply where regulations are made within six months of the coming into force of the provisions under which they are made.