

SCHEDULE 1

CONSEQUENTIAL AMENDMENTS

Pensions (Northern Ireland) Order 2005 (S.I. 2005/255 (N.I. 1))

252.—(1) The Pensions (Northern Ireland) Order 2005 is amended as follows.

(2) In Article 2(2) (general interpretation), omit the definition of “the Companies Order”.

(3) In Article 40(2) (meaning of “service company”)—

(a) in sub-paragraph (a), for “within the meaning given by Article 3(1) of the Companies Order” substitute “as defined in section 1(1) of the Companies Act 2006”;

(b) in sub-paragraph (c)—

(i) for “accounts” substitute “individual accounts”, and

(ii) for “Article 234 of that Order” substitute “Part 15 of that Act”.

(4) In Article 41(2)(b) (meaning of “financial support”), for “within the meaning given in Article 4 of the Companies Order” substitute “within the meaning of section 1159 of the Companies Act 2006”.

(5) In Article 47 (Articles 39 to 46: interpretation), for paragraph (1) substitute—

“(1) In Articles 39 to 46—

“group of companies” means a holding company and its subsidiaries (and references to a member of a group of companies are to be read accordingly); and

“holding company” and “subsidiary” have the meaning given by section 1159 of the Companies Act 2006.”.

(6) In Article 53 (Articles 34 to 52: application to partnerships and LLPs)—

(a) in paragraph (2)(c), for “Article 4 of the Companies Order” substitute “section 1159 of the Companies Act 2006”;

(b) in paragraph (6), for sub-paragraph (a) substitute—

“(a) a limited liability partnership registered under the Limited Liability Partnerships Act 2000, or”.

(7) In Article 105(10) (meaning of “insolvency event” etc: interpretation), in the definition of “company”, for “within the meaning given by Article 3(1) of the Companies Order” substitute “as defined in section 1(1) of the Companies Act 2006”.

(8) In Article 220(3) (member-nominated trustees and directors: supplementary), in the definition of “company”, for “within the meaning given by Article 3(1) of the Companies Order” substitute “as defined in section 1(1) of the Companies Act 2006”.

(9) In Article 225(8) (requirement for knowledge and understanding: corporate trustees), for “within the meaning given by Article 3(1) of the Companies Order” substitute “as defined in section 1(1) of the Companies Act 2006”.

(10) In Schedule 3 (Pensions Regulator: permitted disclosure to facilitate exercise of functions)—

(a) in the second column of the entry relating to the Department of Enterprise, Trade and Investment, omit paragraphs (a) and (c) and the word “or” at the end of paragraph (b);

(b) omit the entry relating to an inspector appointed by the Department of Enterprise, Trade and Investment and functions under Part 15 of the Companies (Northern Ireland) Order 1986;

(c) in the entry relating to a person authorised to exercise powers under (amongst other powers) Article 440 of the Companies (Northern Ireland) Order 1986, omit—

Changes to legislation: *There are currently no known outstanding effects for the The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009, Paragraph 252. (See end of Document for details)*

- (i) in the first column, paragraph (b), and
 - (ii) in the second column, “or that Article”;
- (d) in the entry relating to any body carrying on activities concerned with any of the matters set out in section 16(2) of the Companies (Audit, Investigations and Community Enterprise) Act 2004 ^{M1}, in the first column—
- (i) omit “or Article 16(2) of the Companies (Audit, Investigations and Community Enterprise) (Northern Ireland) Order 2005”, and
 - (ii) for “(within the meaning given by section 736 of the Companies Act 1985 or Article 4 of the Companies (Northern Ireland) Order 1986)” substitute “ (as defined in section 1159 of the Companies Act 2006) ”.
- (11) In Schedule 7 (Board of Pensions Protection Fund: permitted disclosure to facilitate exercise of functions)—
- (a) in the entry relating to the Department of Enterprise, Trade and Investment, in the second column omit paragraphs (a) and (c) and the word “or” at the end of paragraph (b);
 - (b) omit the entry relating to inspectors appointed by that Department and functions under Part 15 of the Companies (Northern Ireland) Order 1986;
 - (c) in the entry relating to persons authorised to exercise powers under (amongst other powers) section 447 of the Companies Act 1985 omit—
 - (i) in the first column, paragraph (b), and
 - (ii) in the second column, “or that Article”.

Marginal Citations

M1 The entry relating to any body carrying on activities concerned with any of the matters set out in section 16(2) of the [Companies \(Audit, Investigations and Community Enterprise\) Act 2004 \(c.27\)](#) was inserted by [S.I. 2006/444, article 2\(2\)](#).

Changes to legislation:

There are currently no known outstanding effects for the The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009, Paragraph 252.