

2006 No. 529

PENSIONS

**The Pension Protection Fund (Insolvent Partnerships)
(Amendment of Insolvency Events) Order
(Northern Ireland) 2006**

Made - - - - - *19th December 2006*

Coming into operation - - - - - *9th January 2007*

The Department for Social Development makes the following Order in exercise of the powers conferred by Article 105(7) of the Pensions (Northern Ireland) Order 2005(a).

Citation and commencement

1. This Order may be cited as the Pension Protection Fund (Insolvent Partnerships) (Amendment of Insolvency Events) Order (Northern Ireland) 2006 and shall come into operation on 9th January 2007.

Amendment of Article 105(4) of the Pensions (Northern Ireland) Order

2. In Article 105(4) of the Pensions (Northern Ireland) Order 2005 (insolvency event in relation to a partnership) for sub-paragraph (d) substitute—

“(d) the partnership enters administration within the meaning of paragraph 2(2)(b) of Schedule B1 to that Order(b) (as applied by an order(c) under Article 364(d) of that Order).”.

Sealed with the Official Seal of the Department for Social Development on 19th December 2006



John O'Neill

A senior officer of the Department for Social Development

(a) S.I. 2005/255 (N.I. 1)
(b) Schedule B1 to the Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19)) was inserted by Article 3(2) of, and Schedule 1 to, the Insolvency (Northern Ireland) Order 2005 (S.I. 2005/1455 (N.I. 10))
(c) See S.R. 2006 No. 515
(d) Article 364 was amended by paragraph 83 of Schedule 5 to the Constitutional Reform Act 2005 (c. 4) and regulation 4(3) of S.R. 2002 No. 223

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Article 105(4)(d) of the Pensions (Northern Ireland) Order 2005 (“the 2005 Order”) in consequence of the Insolvent Partnerships (Amendment) Order (Northern Ireland) 2006 (S.R. 2006 No. 515) (“the Partnerships Order”).

By virtue of Article 105(4)(d) of the 2005 Order, for the purposes of Part III of that Order, an insolvency event occurs where an administration order is made under Part III of the Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19)) (“the 1989 Order”) in relation to an insolvent partnership. Part III of the 1989 Order was amended by the Insolvency (Northern Ireland) Order 2005 which inserted Schedule B1 into the 1989 Order. Schedule B1 to the 1989 Order is applied to insolvent partnerships by the Partnerships Order with effect from 8th January 2007. As a result, Article 105(4)(d) of the 2005 Order is substituted to reflect that an insolvency event, for the purposes of Part III of the 2005 Order, occurs where a partnership “enters administration” (within the meaning of paragraph 2(2)(b) of Schedule B1 to the 1989 Order).

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