



Statutory Document No. 67/05

**THE PENSION SCHEMES ACT 1995**

**THE PENSION SCHEMES ORDER 2005**

*Approved by Tynwald* 16th March 2005

*Coming into operation in accordance with Article 1*

In exercise of the powers conferred on the Department of Health and Social Security by section 1(3) of the Pension Schemes Act 1995 (c.11), and of all other enabling powers, the following Order is hereby made:-

**Citation and commencement**

1. This Order may be cited as the Pension Schemes Order 2005 and shall take effect from the day it is approved by Tynwald.

**Specified Act and provisions**

2. In accordance with section 1(3) of the Pension Schemes Act 1995, there shall be specified, for the purposes of section 1(2)(b) of that Act, the following -

“2004 c.35 Sections 297(3) and (4), 315, 316, 318, 320, 322 and 325 of, and Schedules 11 and 13 to, the Pensions Act 2004.”

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Made

9th February 2005



Minister for Health and Social Security

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

1. The Pension Schemes Act 1995 (of Tynwald) enables the Department of Health and Social Security, by Order, to apply to the Isle of Man, as part of the law of the Isle of Man, subject to such exceptions, adaptations and modifications as may be specified in the Order, any legislation of the United Kingdom to which that Act applies.
2. The Pension Schemes Act 1995 applies, *inter alia*, to the Pensions Act 1995 and the Welfare Reform and Pensions Act 1999 (both Acts of the United Kingdom Parliament) and to any statutory instrument made under either of those Acts.
3. In accordance with section 1(3) of the Pension Schemes Act 1995, the Department may, by Order, specify any Act of the United Kingdom Parliament, or any provision of such an Act, passed after the Pension Schemes Act 1995 and relating to pension schemes as being one to which the Pension Schemes Act 1995 applies.
4. This Order specifies that the Pension Schemes Act 1995 shall apply to certain provisions of the Pensions Act 2004 (in particular, to section 297(3) of that Act), thus allowing those provisions and any statutory instrument made under them to be applied to the Isle of Man.
5. Section 297(3) of the Pensions Act 2004 improves the position of those persons who defer taking their State Retirement Pension by bringing forward to April 2005 the introduction of an increase in the benefits from doing so, which were originally planned for April 2010.