



STATUTORY INSTRUMENTS.

**S.I. No. 187 of 2007**



TRUST RACS (REGISTRATION) REGULATIONS 2007

**(Prn. A7/0851)**

## TRUST RACS (REGISTRATION) REGULATIONS 2007

The Minister for Social and Family Affairs, in exercise of the powers conferred on him by sections 5 and 60 (both as amended by section 37 of the Social Welfare and Pensions Act 2007 (No. 8 of 2007)) of the Pensions Act 1990 (No. 25 of 1990), hereby makes the following Regulations—

*Citation and Commencement.*

1. (1) These Regulations may be cited as the Trust RACs (Registration) Regulations 2007.

(2) These Regulations come into operation on 27 April 2007.

*Definitions.*

2. In these Regulations—

“the Act” means the Pensions Act 1990 (No. 25 of 1990);

“agent” has the meaning assigned to it under section 18(6) of the Act;

“trust RAC year”, in relation to a trust RAC, means whichever of the periods specified in section 55(1) of the Act the trustees select.

*Registration of trust RAC with the Board.*

3. (1) Subject to sub-articles (2) and (3) of this article, the trustees of a trust RAC shall, for the purposes of registration under section 60 of the Act, provide the Board with such of the following information as is applicable to the trust RAC as the Board may request—

- (a) the name of the trust RAC;
- (b) the name and address of each trustee of the trust RAC;
- (c) the name and address of the undertaking or undertakings (within the meaning of the Insurance Act 1989 (No. 2 of 1989)), if any, with whom all or part of the benefits are secured by means of one or more policies or contracts of insurance;
- (d) the name and address of the agent to the trust RAC, if any, other than an actuary, auditor or accountant to the trust RAC;
- (e) the name and address of the person or organisation designated by the trustees to deal with enquiries about the trust RAC;
- (f) the commencement date of the trust RAC;

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 4th May, 2007.*

- (g) the commencement date of the trust RAC year;
- (h) the reference number assigned to the trust RAC by the Revenue Commissioners;
- (i) the number of members in respect of whom the trust RAC received a contribution in the trust RAC year preceding the relevant trust RAC year;
- (j) such further and other information as the Board requires for the purposes of section 60 of the Act.

(2) The trustees of the trust RAC shall furnish to the Board, in such form provided or approved by it, the information specified in sub-article (1) not later than the appropriate date specified in section 60(2) of the Act or such later date in respect of certain items of information specified in paragraphs (a) to (j) of sub-article (1) as may be approved by the Board.

(3) The trustees of the trust RAC shall notify the Board, in such form provided or approved by it, of any change in the information provided to the Board under sub-articles (1) and (2) within 12 months of the occurrence of such change or within such shorter period as the Board may decide.



GIVEN under the Official Seal,  
25 April 2007

SEAMUS BRENNAN.  
Minister for Social and Family Affairs.

#### EXPLANATORY NOTE

*(This Note is not part of the Instrument and does not purport to be a legal interpretation.)*

Section 60 of the Pensions Act 1990, as amended by section 37 of the Social Welfare and Pensions Act 2007, provides for a system of registration of trust RACs. Trustees are required to register trust RACs under their control with the Pensions Board within a specified period.

These Regulations prescribe the information to be furnished to the Board for the purposes of registration.

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