

**Status:** Point in time view as at 01/10/2012.

**Changes to legislation:** Pensions (No. 2) Act (Northern Ireland) 2008, SCHEDULE 10 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

## SCHEDULES

### SCHEDULE 10

Section 116.

#### REPEALS

### PART 1

#### PENSION SCHEME MEMBERSHIP FOR JOBHOLDERS

##### Commencement Information

**II** Sch. 10 Pt. 1 in operation at 1.10.2012 for specified purposes by S.R. 2012/372, art. 2(b)

Short Title	Extent of repeal
The Welfare Reform and Pensions (Northern Ireland) Order 1999 (NI 11)	In Article 5– (a) paragraphs (2) to (4); (b) in paragraph (5), “fourth” and the words from “of his” to “qualifying scheme”; (c) paragraph (6); (d) paragraph (8)(a)(ii) and (iii); (e) in paragraph (9), the definitions of “qualifying scheme” and “relevant employees”. Article 8(1), (2) and (4). In Article 9(1), the definition of “designated scheme”.
The Pensions (Northern Ireland) Order 2005 (NI 1)	In Article 75(1)(a) at the end of head (iii), the word “or”.
The Pensions Act (Northern Ireland) 2008 (c. 1)	Section 16.

### PART 2

#### SAFEGUARDED RIGHTS

Short Title	Extent of repeal
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The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)	In Schedule 4B, in paragraph 12, the definition of “assumed surplus”.
The Pension Schemes (Northern Ireland) Act 1993 (c. 49)	<p>In section 46(1)–</p> <p>(a) paragraph (a)(iii);</p> <p>(b) in paragraph (b), the words “, or safeguarded,”.</p> <p>In section 48–</p> <p>(a) subsection (2A)(c);</p> <p>(b) in subsection (3)(b), the words “, or safeguarded,” (in both places).</p> <p>Part 3A.</p> <p>In section 176(1), the definition of “safeguarded rights”.</p>
The Welfare Reform and Pensions (Northern Ireland) Order 1999 (NI 11)	<p>Article 33.</p> <p>In Article 37–</p> <p>(a) paragraph (2)(b) and the word “and” preceding it;</p> <p>(b) in paragraph (3), in the definition of “relevant pension credit”, the words “or, as the case may be, the safeguarded rights”;</p> <p>(c) in that paragraph, the definition of “safeguarded rights”.</p> <p>In Schedule 5, paragraph 7(2) and (6).</p> <p>In Schedule 9–</p> <p>(a) paragraphs 18 and 19;</p> <p>(b) paragraph 30(b).</p>
The Proceeds of Crime Act 2002 (c. 29)	In Schedule 11, paragraph 23(5).
The Pensions Act (Northern Ireland) 2008 (c. 1)	<p>In Schedule 4–</p> <p>(a) paragraph 27;</p> <p>(b) paragraph 39.</p>

## PART 3

### CONTRACTING-OUT: ABOLITION OF ALL PROTECTED RIGHTS

#### Commencement Information

**I2** Sch. 10 Pt. 3 in operation at 6.4.2012 by S.R. 2012/119, art. 2(c)

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<b>Short Title</b>	<b>Extent of repeal</b>
The Pension Schemes (Northern Ireland) Act 1993 (c. 49)	Section 6. Sections 21A to 23A. Section 26. Sections 28 and 28A. Section 29A.
The Pensions (Northern Ireland) Order 1995 (NI 22)	In Schedule 3, paragraph 18.
The Welfare Reform and Pensions (Northern Ireland) Order 1999 (NI 11)	Article 29(2).
The Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (SI 1999/671)	In Schedule 1, paragraphs 39, 45 and 47.
The Proceeds of Crime Act 2002 (c. 29)	In Schedule 11, paragraph 23(2).
The Pensions Act (Northern Ireland) 2008 (c. 1)	In Schedule 4, paragraphs 5, 8 to 10 and 12 to 14.

These repeals have effect in accordance with section 85.

## PART 4

### PENSION COMPENSATION

<b>Short Title</b>	<b>Extent of repeal</b>
The Matrimonial Causes (Northern Ireland) Order 1978 (NI 15)	In Article 27E(9), the definition of “PPF compensation”. In Article 33(2)(dd), at the end of head (i), the word “or”.
The Civil Partnership Act 2004 (c. 33)	In Schedule 15— <ul style="list-style-type: none"> <li>(a) at the end of paragraph 15(a)(ii), the word “or”;</li> <li>(b) at the end of paragraph 16(1)(b), the word “or”;</li> <li>(c) at the end of paragraph 18(1)(b), the word “or”;</li> <li>(d) paragraph 25(3);</li> <li>(e) at the end of paragraph 45(1)(f)(i), the word “or”.</li> </ul> In Schedule 17, in paragraph 10(9)(c), the words “Part 6 of”.

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## PART 5

### MISCELLANEOUS

#### Commencement Information

- I3** Sch. 10 Pt. 5 partly in operation; Sch. 10 Pt. 5 in operation for certain purposes at Royal Assent see s. 118(2)(3)(c); Sch. 10 Pt. 5 in operation for certain purposes at 6.4.2009 by S.R. 2009/22, art. 2(2)(d)

#### Short Title

#### Extent of repeal

The Social Security Pensions (Northern Ireland) Order 1975 (NI 15)	In Article 69(5ZA) the words from “but this paragraph” to the end.
The Pensions (Northern Ireland) Order 1995 (NI 22)	In Article 7(3), at the end of subparagraph (b), the word “or”. In Article 54(3), the definition of “revaluation percentage”.
The Tax Credits Act 2002 (c. 21)	In Schedule 3, paragraph 41.
The Pensions (Northern Ireland) Order 2005 (NI 1)	In Article 34(5)(a)(ii), the words “otherwise than in good faith;”. Article 294.

The repeal in Article 34(5)(a)(ii) of the 2005 Order has effect in accordance with paragraph 15(1) of Schedule 8.

## PART 6

### ADDITIONAL PENSIONS

#### Commencement Information

- I4** Sch. 10 Pt. 6 partly in force; Sch. 10 Pt. 6 in force for certain purposes at Royal Assent see s. 118(2)(5)

#### Short Title

#### Extent of repeal

The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)	Section 44B(7)(a). Section 121(7) and (8). In section 172(2)(c), “121(8)”. In Schedule 1, in paragraph 1(3)– (a) paragraph (ba), (b) in paragraph (c), the words “if some of the aggregated earnings
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are attributable to COSRS service,” and

- (c) in paragraph (ca), the words “if paragraph (c) applies,” and “, when added to the APPS earnings or the part attributable to COMPS service (or both),”.

In Schedule 4A–

- (a) in paragraph 2, in sub-paragraph (4A) in table 2A the words “but not exceeding AUEL”, and sub-paragraph (6)(d),
- (b) in paragraph 5(4A), in table 4A the words “but not exceeding AUEL”,
- (c) in paragraph 7(4A), in table 6A the words “but not exceeding AUEL”, and
- (d) paragraph 8(4)(d).

In Schedule 4B–

- (a) in paragraph 5(a), the words “but which does not exceed the UAP”,
- (b) in paragraph 9(2)(a), the words “but which does not exceed the UAP”,
- (c) in paragraph 10(1)(a), the words “but which does not exceed the UAP”, and
- (d) in paragraph 12, the definition of “the UAP”.

The Pension Schemes (Northern Ireland) Act 1993 (c. 49)

Section 37(1ZA).

In section 176(1), the definition of “the flat rate introduction year”.

In Schedule 3, paragraph 2(6).

The Pensions Act (Northern Ireland) 2008 (c. 1)

Section 8(2)(c) and (5).

Section 10(3).

In Schedule 1, paragraphs 32(a), 34 and 36.

In Schedule 2, paragraph 4(2).

## 1 The repeals of—

- (a) section 37(1ZA) of the Pension Schemes Act,

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- (b) The definition of “the flat rate introduction year” in section 176(1) of that Act, and
- (c) paragraph 34 of Schedule 1 to the Pensions Act (Northern Ireland) 2008 (c. 1),

have effect in relation to 2009–10 and subsequent tax years.

**2** The repeals of—

- (a) paragraph 2(6) of Schedule 3 to the Pension Schemes Act, and
- (b) paragraph 36 of Schedule 1 to the Pensions Act (Northern Ireland) 2008,

have effect in relation to payments made in a tax week falling in 2009–10 or any subsequent tax year.

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