
STATUTORY INSTRUMENTS

1999 No. 3147 (N.I. 11)

NORTHERN IRELAND

**The Welfare Reform and Pensions
(Northern Ireland) Order 1999**

Made - - - - 24th November 1999

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Coming into operation in accordance with Article 1

**THE WELFARE REFORM AND PENSIONS
(NORTHERN IRELAND) ORDER 1999**

PART I

INTRODUCTORY

1. Title and commencement
2. Interpretation

PART II

STAKEHOLDER PENSION SCHEMES

3. Meaning of “stakeholder pension scheme”
4. Registration of stakeholder pension schemes
5. Duty of employers to facilitate access to stakeholder pension schemes
6. Obtaining information with respect to compliance with Article 5 and corresponding legislation in Great Britain
7. Powers of inspection for securing compliance with Article 5 and corresponding legislation in Great Britain
8. Application of certain statutory provisions
9. Interpretation and application of Part II

PART III

PENSIONS: GENERAL

Payments by employers to pension schemes

10. Monitoring of employers' payments to personal pension schemes
11. Late payments by employers to occupational pension schemes

Status: This is the original version (as it was originally made).

Pensions and bankruptcy

12. Effect of bankruptcy on pension rights: approved arrangements
13. Effect of bankruptcy on pension rights: unapproved arrangements
14. No forfeiture on bankruptcy of rights under pension schemes
15. Excessive pension contributions made by persons who have become bankrupt

Miscellaneous

16. Compensating occupational pension schemes
17. Miscellaneous amendments

PART IV

PENSIONS ON DIVORCE ETC.

18. Pension sharing orders
19. Amendments of Articles 27B to 27D of the Matrimonial Causes Order
20. Extension to overseas divorces etc.

Miscellaneous

21. Supply of pension information in connection with divorce etc.
22. Charges by pension arrangements in relation to earmarking orders
23. Interpretation of Part IV

PART V

PENSION SHARING

CHAPTER I

SHARING OF RIGHTS UNDER PENSION ARRANGEMENTS

Pension sharing mechanism

24. Scope of mechanism
25. Activation of pension sharing
26. Creation of pension debits and credits
27. Cash equivalents

Pension debits

28. Reduction of benefit
29. Effect on contracted-out rights

Pension credits

30. Time for discharge of liability
31. "Implementation period"
32. Mode of discharge of liability

Treatment of pension credit rights under schemes

33. Safeguarded rights
34. Requirements relating to pension credit benefit
35. Treatment in winding up

Indexation

- 36. Public service pension schemes
- 37. Other pension schemes

Charges by pension arrangements

- 38. Charges in respect of pension sharing costs

Adaptation of statutory schemes

- 39. Extension of scheme-making powers
- 40. Power to extend judicial pension schemes

Supplementary

- 41. Disapplication of restrictions on alienation
- 42. Information
- 43. Interpretation of Chapter I

CHAPTER II

SHARING OF STATE SCHEME RIGHTS

- 44. Shareable state scheme rights
- 45. Activation of benefit sharing
- 46. Creation of state scheme pension debits and credits
- 47. Effect of state scheme pension debits and credits
- 48. Interpretation of Chapter II

PART VI

WELFARE

CHAPTER I

SOCIAL SECURITY BENEFITS

Additional pensions

- 49. Preservation of rights in respect of additional pensions

State maternity allowance

- 50. Extension of entitlement to state maternity allowance

Benefits for widows and widowers

- 51. Bereavement payments
- 52. New allowances for bereaved spouses
- 53. Entitlement to Category B retirement pension by reference to new allowances

Work-focused interviews

- 54. Claim or full entitlement to certain benefits conditional on work-focused interview
- 55. Optional work-focused interviews

Status: This is the original version (as it was originally made).

Jobseeker's allowance

- 56. Couples to make joint claim for allowance
- 57. Special schemes for claimants for jobseeker's allowance

Incapacity for work

- 58. Incapacity for work: personal capability assessments

Incapacity benefits

- 59. Incapacity benefit: restriction to recent contributors
- 60. Incapacity benefit: reduction for pension payments
- 61. Incapacity benefit: persons incapacitated in youth
- 62. Abolition of severe disablement allowance

Disability benefits

- 63. Attendance allowance
- 64. Disability living allowance

Miscellaneous

- 65. Certain overpayments of benefit not to be recoverable
- 66. Child benefit: claimant to state national insurance number
- 67. Welfare benefits: miscellaneous amendments

Supplementary

- 68. Sharing of functions as regards claims and information
- 69. Supply of information for certain purposes

CHAPTER II

OTHER WELFARE PROVISIONS

- 70. Measures to reduce under-occupation by housing benefit claimants
- 71. Supply of information for child support purposes

PART VII

GENERAL

Miscellaneous

- 72. Authorisation of certain expenditure

Supplementary

- 73. Regulations and orders
- 74. Consequential amendments etc.
- 75. Transitional provisions
- 76. Repeals
- Signature

SCHEDULES

SCHEDULE 1 — APPLICATION OF THE PENSION SCHEMES ACT AND THE PENSIONS ORDER TO REGISTERED SCHEMES

1. (1) The provisions specified in sub-paragraph (2) shall apply as...
2. (1) Articles 96 to 98 of the Pensions Order (gathering...
3. (1) Article 97 of the Pensions Order shall have effect...

SCHEDULE 2 — PENSIONS: MISCELLANEOUS AMENDMENTS

Income payments orders against pension payments

1. In Article 283(7) of the Insolvency (Northern Ireland) Order 1989 (bankrupt's...

Extended meaning of "personal pension scheme"

2. (1) In the Pension Schemes Act— (a) in section 1...

Revaluation of earnings factors: meaning of "relevant year"

3. In section 12(5) of the Pension Schemes Act (revaluation of...

Interim arrangements

4. (1) Section 24 of the Pension Schemes Act (ways of...

Effect of certain orders on guaranteed minimum pensions

5. In section 43 of the Pension Schemes Act (entitlement to...

Payment by the Department of unpaid pension contributions

6. (1) Paragraph 2 of Schedule 3 to the Pension Schemes...

Supervision by the Occupational Pensions Regulatory Authority

7. In Article 3(2)(b) of the Pensions Order (power of Authority...
8. In Article 8(4) of the Pensions Order (provision which may...
9. In Article 10 of the Pensions Order (imposition of civil...

Occupational pension schemes: institutions who may hold money deposited by trustees etc.

10. (1) Article 49 of the Pensions Order (other responsibilities of...

Annual increase in rate of pension

11. In Article 54(3) of the Pensions Order (supplementary provisions about...

Occupational pension schemes: certificates etc. relating to minimum funding requirement

12. (1) In Article 58 of the Pensions Order (schedules of...

Excess assets of wound-up schemes

13. In Article 77(5) of the Pensions Order (penalties for trustees...

Status: This is the original version (as it was originally made).

Pensionable service

14. In Article 121(3) of the Pensions Order (matters to be...

Occupational pension schemes: rights of employee who is director of corporate trustee

15. (1) The Employment Rights (Northern Ireland) Order 1996 is amended as...

SCHEDULE 3 — PENSION SHARING ORDERS

1. The Matrimonial Causes Order is amended as follows.
2. In Article 2 (interpretation), in paragraph (3), for “and” at...
3. After Article 23 there is inserted— Pension sharing orders (1) For the purposes of this Order, a pension sharing...
4. In Article 26 (property adjustment orders in connection with divorce...
5. After Article 26 there is inserted— Pension sharing orders in...
6. In Article 27 (matters to which the court is to...
7. In Article 27A(1) (court’s duty to consider desirability of exercising...
8. (1) Article 33 (variation, discharge etc. of certain orders for...
9. In Article 35A (consent orders), in paragraph (3), in the...
10. In Article 39 (avoidance of transactions intended to prevent or...
11. After Article 42 there is inserted— Appeals relating to pension...

SCHEDULE 4 — AMENDMENTS OF ARTICLES 27B TO 27D OF THE MATRIMONIAL CAUSES ORDER

1. (1) Article 27B of the Matrimonial Causes Order is amended...
2. (1) Article 27C of that Order is amended as follows....
3. (1) Article 27D of that Order is amended as follows....

SCHEDULE 5 — PENSION CREDITS: MODE OF DISCHARGE

Funded pension schemes

1. (1) This paragraph applies to a pension credit which derives...

Unfunded public service pension schemes

2. (1) This paragraph applies to a pension credit which derives...

Other unfunded occupational pension schemes

3. (1) This paragraph applies to a pension credit which derives...

Other pension arrangements

4. (1) This paragraph applies to a pension credit which derives...

Appropriate rights

5. For the purposes of this Schedule, rights conferred on the...

Qualifying arrangements

6. (1) The following are qualifying arrangements for the purposes of...

Disqualification as destination for pension credit

7. (1) If a pension credit derives from a pension arrangement...

Adjustments to amount of pension credit

8. (1) If— (a) a pension credit derives from an occupational...
9. If— (a) a person's shareable rights under a pension arrangement...
10. The Department may by regulations make provision for paragraph 1(3),...

General

11. Liability in respect of a pension credit shall be treated...
12. Liability in respect of a pension credit may not be...
13. Regulations under paragraph 5(b) or 7(3) may provide for calculation...
14. In this Schedule— “funded”, in relation to an occupational pension...

SCHEDULE 6 — EFFECT OF STATE SCHEME PENSION DEBITS AND CREDITS

1. The Contributions and Benefits Act is amended as follows.
2. After section 45A there is inserted— Reduction of additional pension...
3. After section 55 there is inserted— Shared additional pension Shared...

SCHEDULE 7 — JOINT CLAIMS FOR JOBSEEKER'S ALLOWANCE

Jobseekers (Northern Ireland) Order 1995 (NI 15)

1. The Jobseekers (Northern Ireland) Order 1995 has effect subject to...
2. (1) Article 2 (interpretation) is amended as follows.
3. (1) Article 3 (entitlement to jobseeker's allowance) is amended as...
4. In Article 4(1) (the contribution-based conditions), for “Article 3(2)(d)(i)” substitute...
5. (1) In paragraph (1) of Article 5 (the income-based conditions),...
6. (1) Article 6 (amount of jobseeker's allowance) is amended as...
7. After Article 6 insert— Amount payable in respect of joint-claim...
8. (1) Article 10 (power to make regulations requiring attendance etc.)...
9. In Article 11(12) (jobseeker's agreement ends when allowance ends), at...
10. (1) Article 15 (income and capital for the purposes of...
11. After Article 17 (effect on family of one member being...
12. In Article 19 (reduction of allowance payable to young persons),...
13. In Article 21 (allowance not payable though conditions for entitlement...
14. After Article 22 insert— Denial or reduction of joint-claim jobseeker's...
15. (1) Article 32 (termination of awards where another entitlement exists)...
16. (1) Schedule 1 (jobseeker's allowance: supplementary provisions) is amended as...

Social Security (Northern Ireland) Order 1998 (NI 10)

17. In Article 39(1) of the Social Security (Northern Ireland) Order...

SCHEDULE 8 — WELFARE BENEFITS: MINOR AND CONSEQUENTIAL AMENDMENTS

PART I — BEREAVEMENT BENEFITS

Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

1. The Contributions and Benefits Act has effect subject to the...
2. (1) Section 20 (descriptions of contributory benefits) is amended as...
3. (1) Section 21 (contribution conditions) is amended as follows.
4. In section 46(2) (modifications of s. 45 for calculating additional...

Status: This is the original version (as it was originally made).

5. In section 48B (Category B retirement pension for widows and...
6. In section 48C(4) (Category B retirement pension: general), for “or...
7. (1) Section 60 (partial failure to satisfy contribution conditions) is...
8. In section 61(1) (exclusion of increase of benefit for failure...
9. In section 61A(3) (contributions paid in error)—
10. In section 80(5) (beneficiary’s dependent children)— (a) for “payable by...
11. In section 146 (interpretation of provisions relating to Christmas bonus),...
12. (1) Schedule 3 (contribution conditions for entitlement to benefit) is...
13. In Part IV of Schedule 4 (increases for dependants) after...

Social Security Administration (Northern Ireland) Act 1992 (c. 8)

14. The Administration Act is amended as follows.
15. In section 1(2)(a) (entitlement to benefit dependent on claim), for...
16. For section 3 (and the cross-heading preceding it) substitute—
Bereavement...

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

17. (1) Section 42 of the Pension Schemes Act (effect of...

Pensions (Northern Ireland) Order 1995 (NI 22)

18. (1) Article 125 of the Pensions Order (additional pension: calculation...
PART II — INCAPACITY

Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

19. The Contributions and Benefits Act has effect subject to the...
20. In section 21 (contribution conditions)— (a) in subsection (1), after...
21. In section 30B (incapacity benefit: rate), at the end add—...
22. (1) Section 167A (test of incapacity for work) is amended...
23. In section 167B(1) (the “own occupation test”), for “the test...
24. In section 172 (Assembly, etc. control of regulations and orders),...
PART III — ABOLITION OF SEVERE DISABLEMENT ALLOWANCE

Social Security Contributions and Benefits Act (Northern Ireland) 1992 (c. 7)

25. In section 90 of the Contributions and Benefits Act (beneficiaries...
PART IV — INCOME SUPPORT

Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

26. In section 123(1)(f) of the Contributions and Benefits Act (entitlement...
PART V — JOBSEEKER'S ALLOWANCE

Jobseekers (Northern Ireland) Order 1995 (NI 15)

27. (1) The Jobseekers (Northern Ireland) Order 1995 is amended as...
PART VI — MATERNITY ALLOWANCE

Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

28. The Contributions and Benefits Act has effect subject to the...
29. (1) Section 21 (contribution conditions) is amended as follows.
30. In section 172(2)(c) (Assembly, etc. control of regulations and orders)...
PART VII — RETIREMENT PENSIONS

Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

31. In section 48A of the Contributions and Benefits Act (Category...
PART VIII — ADMINISTRATION OF BENEFITS
32. (1) In each of the provisions of the Administration Act...

SCHEDULE 9 — CONSEQUENTIAL AMENDMENTS

PART I — AMENDMENTS CONSEQUENTIAL ON PARTS IV AND V

Matrimonial and Family Proceedings (Northern Ireland) Order 1989 (NI 4)

1. The Matrimonial and Family Proceedings (Northern Ireland) Order 1989 is...
2. For Article 21 there is substituted— Subject to Article 24, on an application by a party...
3. In Article 25— (a) after paragraph (b) there is inserted—...

Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

4. The Contributions and Benefits Act has effect subject to the...
5. (1) Section 20 is amended as follows.
6. In section 21(1), after “41 below” there is inserted “or...
7. In section 39(1), (2) and (3), for “45A” there is...
8. In section 43, at the end there is added—
9. In section 48A(4), for “45A” there is substituted “45B”.
10. In section 48B(2) and (3), for “45A” there is substituted...
11. In section 48C(4), for “45A” there is substituted “45B”.
12. In section 54(1), at the end there is inserted “or...”

Social Security Administration (Northern Ireland) Act 1992 (c. 8)

13. The Administration Act has effect subject to the following amendments....
14. (1) Section 135A is amended as follows.
15. In section 143(2) after paragraph (a) there is inserted—
16. In section 145(5)(b), after “section 143(2)(a)” there is inserted “or...”

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

17. The Pension Schemes Act has effect subject to the following...
18. In section 46(1)— (a) in paragraph (a), at the end...
19. (1) Section 48 is amended as follows.
20. (1) Section 79 is amended as follows.
21. In section 81, after “69(2)(b)” there is inserted “or 97D(2)(b)”....
22. In section 89, after subsection (1) there is inserted—
23. In section 89A, after subsection (1) there is inserted—
24. In section 90, after subsection (1A) there is inserted—
25. In section 92, there is added at the end—
26. (1) Section 94 is amended as follows.
27. (1) Section 96 is amended as follows.
28. (1) Section 125 is amended as follows.
29. (1) Section 173 is amended as follows.
30. In section 176(1)— (a) after the definition of “occupational pension...”
31. In section 178(3), for “and 93(1)” there is substituted “93(1)...”

Status: This is the original version (as it was originally made).

Pensions (Northern Ireland) Order 1995 (NI 22)

32. The Pensions Order has effect subject to the following amendments....
33. In Article 3(2)(a)— (a) in head (ii), after “values),” there...
34. (1) Article 16 is amended as follows.
35. In Article 17(4)(a), before “members” there is inserted “qualifying”.
36. (1) Article 18 is amended as follows.
37. In Article 20(5), after “a”, in the second place where...
38. In Article 21(6)— (a) after “Article” there is inserted—
39. (1) Article 38 is amended as follows.
40. In Article 51(6), after “a pension” there is inserted “which...
41. In Article 53, after paragraph (3) there is inserted—
42. (1) Article 67 is amended as follows.
43. In Article 68(2), for “and” at the end of sub-paragraph...
44. In Article 73, after paragraph (3) there is inserted—
45. In Article 74(3)(b), at the end there is inserted “or...
46. (1) Article 89 is amended as follows.
47. (1) Article 90 is amended as follows.
48. (1) Article 91 is amended as follows.
49. In Article 97(2)— (a) in sub-paragraph (b), after “values),” there...
50. (1) Article 121 is amended as follows.
51. (1) Article 162 is amended as follows.

Welfare Reform and Pensions (Northern Ireland) Order 1999

52. In Article 22 of the Welfare Reform and Pensions (Northern...
PART II — OTHER CONSEQUENTIAL AMENDMENTS

Insolvency (Northern Ireland) Order 1989 (NI 19)

53. The Insolvency (Northern Ireland) Order 1989 is amended as follows....
54. After Article 315C there is inserted— Recovery of excessive contributions...

Social Security Administration (Northern Ireland) Act 1992 (c. 8)

55. The Administration Act has effect subject to the following amendments....
56. After section 128E insert— Financing of other expenditure. (1) The Department may make to any relevant authority such...
57. In section 149(5) (enactments conferring functions in respect of which...
58. In section 165 (regulations and orders -general), after subsection (7)...
59. In section 166 (Assembly, etc. control of orders and regulations),...

Deregulation and Contracting Out (Northern Ireland) Order 1996 (NI 11)

60. At the end of Article 17(2) of the Deregulation and...

Social Security (Northern Ireland) Order 1998 (NI 10)

61. In Schedule 2 to the Social Security (Northern Ireland) Order...

SCHEDULE 10 — REPEALS

- PART I — PENSIONS: MISCELLANEOUS
- PART II — PENSIONS ON DIVORCE ETC.
- PART III — PENSION SHARING
- PART IV — ABOLITION OF SEVERE DISABLEMENT ALLOWANCE

PART V — BENEFITS: MISCELLANEOUS

Explanatory Note