

Status: Point in time view as at 06/04/2012.

Changes to legislation: Pension Schemes (Northern Ireland) Act 1993, Part V is up to date with all changes known to be in force on or before 05 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)



Pension Schemes (Northern Ireland) Act 1993

1993 CHAPTER 49

PART V

ANNUAL INCREASES OF PENSIONS IN PAYMENT

CHAPTER I

PENSIONS UNDER FINAL SALARY SCHEMES, ETC.

F1⁹⁸

Textual Amendments

F1 Ss. 98-104 repealed (6.4.1997) by S.I. 1995/3213 (N.I. 22), arts. 119, 168, Sch. 1 para. 16, **Sch. 5 Pt. I** (with art. 118(5)(6)); S.R. 1997/192, **art. 2(b)**

F2⁹⁹

Textual Amendments

F2 Ss. 98-104 repealed (6.4.1997) by S.I. 1995/3213 (N.I. 22), arts. 119, 168, Sch. 1 para. 16, **Sch. 5 Pt. I** (with 118(5)(6)); S.R. 1997/192, **art. 2(b)**

F3¹⁰⁰

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Textual Amendments

F3 Ss. 98-104 repealed (6.4.1997) by S.I. 1995/3213 (N.I. 22), arts. 119, 168, Sch. 1 para. 16, **Sch. 5** (with art. 118(5)(6)); S.R. 1997/192, **art. 2(b)**

F4¹⁰¹

Textual Amendments

F4 Ss. 98-104 repealed (6.4.1997) by S.I. 1995/213 (N.I. 22), arts. 119, 168, Sch. 1 para. 16, **Sch. 5 Pt. I** (with art. 118(5)(6)); S.R. 1997/192, **art. 2(b)**

F5¹⁰²

Textual Amendments

F5 Ss. 98-104 repealed (6.4.1997) S.I. 1995/3213 (N.I. 22), arts. 119, 168, Sch. 1 para. 16, **Sch. 5 Pt. I** (with art. 118(5)(6)); S.R. 1997/192, **art. 2(b)**

F6¹⁰³

Textual Amendments

F6 Ss. 98-104 repealed (6.4.1997) by S.I. 1995/3213 (N.I. 22), arts. 119, 168, Sch. 1 para. 16, **Sch. 5 Pt. I** (with art. 118(5)(6)); S.R. 1997/192, **art. 2(b)**

F7¹⁰⁴

Textual Amendments

F7 Ss. 98-104 repealed (6.4.1997) by S.I. 1995/3213 (N.I. 22), arts. 119, 168, Sch. 1 para. 16, **Sch. 5 Pt. I** (with art. 118(5)(6)); S.R. 1997/192, **art. 2(b)**

CHAPTER II

GUARANTEED MINIMUM PENSIONS

105 Annual increase of guaranteed minimum pensions.

- (1) Whenever the Secretary of State makes an order under section 109 of the ^{M1}Pension Schemes Act 1993 specifying a percentage by which there is to be an increase of the rate of that part of guaranteed minimum pensions which is attributable to earnings factors for [^{F8}the tax years in the relevant period as defined in that section] for—
 - (a) earners who have attained pensionable age; and

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(b) [^{F9}widows, widowers and surviving civil partners],
the Department may make a corresponding order for Northern Ireland.

(2) Where the benefits mentioned in section 42(1) to (7) are not increased on the day on which an order under this section takes effect, the order shall be treated for the purposes of that section as not taking effect until the day on which those benefits are next increased.

Textual Amendments

- F8** Words in s. 105(1) substituted (4.2.1997) by S.I. 1995/3213 (N.I. 22), **art. 55** (with art. 118(5)(6)); S.R. 1997/37, **art. 2**
- F9** Words in s. 105(1)(b) substituted (5.12.2005) by The Civil Partnership (Contracted-out Occupational and Appropriate Personal Pension Schemes) (Surviving Civil Partners) Order (Northern Ireland) 2005 (S.R. 2005/433), art. 1(3), **Sch. 1 para. 22**

Marginal Citations

- M1** 1993 c. 48.

106 Requirement as to resources for annual increase of guaranteed minimum pensions.

- (1) Except as permitted by [^{F10}Article 53 of the Pensions (Northern Ireland) Order 1995], the trustees or managers of a scheme may not make an increase in a person's pension which is required by virtue of section 105 out of money which would otherwise fall to be used for the payment of benefits under the scheme to or in respect of that person unless—
- (a) the payment is to an earner in respect of the tax year in which he attains pensionable age and the increase is the one required to be made in the next tax year; or
- (b) the payment is to a person as the [^{F11}widow, widower or surviving civil partner] of an earner who died before attaining pensionable age and is in respect of the tax year in which the person became a [^{F11}widow, widower or surviving civil partner], and the increase is the one required to be made in the next tax year.

^{F12}(2)

^{F12}(3)

^{F12}(4)

Textual Amendments

- F10** Words in s. 106(1) substituted (6.4.1997) by S.I. 1995/3213 (N.I. 22), **art. 53(4)(b)**; S.R. 1997/192, **art. 2(b)**
- F11** Words in s. 106(1)(b) substituted (5.12.2005) by The Civil Partnership (Contracted-out Occupational and Appropriate Personal Pension Schemes) (Surviving Civil Partners) Order (Northern Ireland) 2005 (S.R. 2005/433), art. 1(3), **Sch. 1 para. 23**
- F12** S. 106(2)-(4) repealed (6.4.1997) by S.I. 1995/3213 (N.I. 22), arts. 53(4)(a), 168, **Sch. 5 Pt. I** (with art. 118(5)(6)); S.R. 1997/192, **art. 2(b)**

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