

Status: Point in time view as at 07/12/2020. This version of this schedule contains provisions that are prospective.

Changes to legislation: Pension Schemes (Northern Ireland) Act 1993, SCHEDULE 7 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 7

Section 184.

CONSEQUENTIAL AMENDMENTS

The Judicial Pensions Act (Northern Ireland) 1951 (c. 20 (N.I.))

- 1 In section 11A(7) of the Judicial Pensions Act (Northern Ireland) 1951—
- (a) in the definition of “employment” for the words “Social Security Pensions (Northern Ireland) Order 1975” and “that Order” there shall be substituted respectively the words “ Pension Schemes (Northern Ireland) Act 1993 ” and “ section 2 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 ”;
 - (b) in the definition of “occupational pension scheme” for the words “Article 2(2) of the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”;
 - (c) in the definition of “personal pension scheme” for the words “Article 2(2) of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”;
 - (d) in the definitions of “tax-exemption” and “tax-approval” for the words “Article 2(2) of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 176(1) of the Pension Schemes (Northern Ireland) Act 1993 ”.

- 2 In Schedule 2A to that Act—

- (a) in paragraph 1 in the definition of “protected rights” for the words “the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ the Pension Schemes (Northern Ireland) Act 1993 ”;
- (b) in paragraph 3 for the words “Part II of Schedule 1A to the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ Chapter IV of Part IV of the Pension Schemes (Northern Ireland) Act 1993 ”;
- (c) in paragraph 6(6)(a)(ii) for the words from “section 2” to “Order 1986” there shall be substituted the words “ section 7 of the Pension Schemes Act 1993, section 3 of the Pension Schemes (Northern Ireland) Act 1993 ”.

The County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.))

- 3 In section 127A(7) of the County Courts Act (Northern Ireland) 1959—
- (a) in the definition of “employment” for the words “Social Security Pensions (Northern Ireland) Order 1975” and “that Order” there shall be substituted respectively the words “ Pension Schemes (Northern Ireland) Act 1993 ” and “ section 2 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 ”;

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- (b) in the definition of “occupational pension scheme” for the words “Article 2(2) of the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”;
- (c) in the definition of “personal pension scheme” for the words “Article 2(2) of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”;
- (d) in the definitions of “tax-exemption” and “tax-approval” for the words “Article 2(2) of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 176(1) of the Pension Schemes (Northern Ireland) Act 1993 ”.

4 In Schedule 2A to that Act—

- (a) in paragraph 1 in the definition of “protected rights” for the words “the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ the Pension Schemes (Northern Ireland) Act 1993 ”;
- (b) in paragraph 3 for the words “Part II of Schedule 1A to the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ Chapter IV of Part IV of the Pension Schemes (Northern Ireland) Act 1993 ”;
- (c) in paragraph 6(6)(a)(ii) for the words from “section 2” to “Order 1986” there shall be substituted the words “ section 7 of the Pension Schemes Act 1993, section 3 of the Pension Schemes (Northern Ireland) Act 1993 ”.

The Resident Magistrates’ Pensions Act (Northern Ireland) 1960 (c. 25 (N.I.))

5 In section 9A(7) of the Resident Magistrates’ Pensions Act (Northern Ireland) 1960—

- (a) in the definition of “employment” for the words “Social Security Pensions (Northern Ireland) Order 1975” and “that Order” there shall be substituted respectively the words “ Pension Schemes (Northern Ireland) Act 1993 ” and “ section 2 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 ”;
- (b) in the definition of “occupational pension scheme” for the words “Article 2(2) of the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”;
- (c) in the definition of “personal pension scheme” for the words “Article 2(2) of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”;
- (d) in the definitions of “tax-exemption” and “tax-approval” for the words “Article 2(2) of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 176(1) of the Pension Schemes (Northern Ireland) Act 1993 ”.

6 In Schedule 3 to that Act—

- (a) in paragraph 1 in the definition of “protected rights” for the words “the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ the Pension Schemes (Northern Ireland) Act 1993 ”;

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- (b) in paragraph 3 for the words “Part II of Schedule 1A to the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ Chapter IV of Part IV of the Pension Schemes (Northern Ireland) Act 1993 ”;
- (c) in paragraph 6(6)(a)(ii) for the words from “section 2” to “Order 1986” there shall be substituted the words “ section 7 of the Pension Schemes Act 1993, section 3 of the Pension Schemes (Northern Ireland) Act 1993 ”.

The Parliamentary Commissioner Act 1967 (c. 13)

- 7 In paragraph 10 of Schedule 1 to the Parliamentary Commissioner Act 1967, in the definition of “judicial pension scheme”, for the words “Article 2(2) of the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”.

The Parliamentary Commissioner Act (Northern Ireland) 1969 (c. 10 (N.I.))

F18

Textual Amendments

F1 Sch. 7 para. 8 repealed (16.7.1996) by S.I. 1996/1298 (N.I. 8), art. 21(2), Sch. 6

The Commissioner for Complaints Act (Northern Ireland) 1969 (c. 25 (N.I.))

F29

Textual Amendments

F2 Sch. 7 para. 9 repealed (16.7.1996) by S.I. 1996/1297 (N.I. 7), arts. 23(2), Sch. 5

The Equal Pay Act (Northern Ireland) 1970 (c. 32 (N.I.))

F310

Textual Amendments

F3 Sch. 7 para. 10 repealed (1.1.1996) by S.I. 1995/3213 (N.I. 22), arts. 119, 168, Sch. 1 para. 39, Sch. 5 Pt. I (with art. 118(5)(6)); S.R. 1995/477, art. 2(b), Sch. Pt. II

The Social Services (Parity) Act (Northern Ireland) 1971 (c. 21 (N.I.))

- 11 In Schedule 1 to the Social Services (Parity) Act (Northern Ireland) 1971 for the entry relating to the Social Security Pensions Act 1975 there shall be substituted—
“ The Pension Schemes Act 1993. ”

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The Pensions Increase Act (Northern Ireland) 1971 (c. 35 (N.I.))

- 12 In section 15(1) of the Pensions Increase Act (Northern Ireland) 1971, in the definition of “money purchase benefits” for the words from “Article 2(2)” to “1986” there shall be substituted the words “ section 176(1) of the Pension Schemes (Northern Ireland) Act 1993 ”.

The Superannuation Act 1972 (c. 11)

- 13 In section 13(15), in the definition of “judicial pension scheme”, for the words “Article 2(2) of the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”.

The Superannuation (Northern Ireland) Order 1972 (N.I. 10)

- 14 In Articles 3(8), 11(6) and 12(11) of the Superannuation (Northern Ireland) Order 1972, in the definitions of “money purchase benefits” for the words from “Article 2(2)” to “1986” there shall be substituted the words “ section 176(1) of the Pension Schemes (Northern Ireland) Act 1993 ”.

The Social Security Pensions (Northern Ireland) Order 1975 (N.I. 15)

- 15 (1) In Article 69 of the Social Security Pensions (Northern Ireland) Order 1975—
- (a) in paragraph (5), after the words “guaranteed minimum pension” there shall be inserted the words “ (as defined in section 176(1) of the Pension Schemes (Northern Ireland) Act 1993) ”,
 - (b) in paragraph (5A), for the words “Article 39A(8), (9) or (10)” there shall be substituted the words “ section 106(2) or (3) of, or paragraph 10 of Schedule 5 to, the Pension Schemes (Northern Ireland) Act 1993 ”,
 - (c) in paragraph (7), after the definition of “beginning date” there shall be inserted— “ “employment” has the same meaning as in section 176(1) of the Pension Schemes (Northern Ireland) Act 1993 ”.
- (2) In Article 69A(2A) of that Order—
- (a) after the words “tax year” there shall be inserted the words “ as defined in section 176(1) of the Pension Schemes (Northern Ireland) Act 1993 ”;
 - (b) for the words “Article 39A” in the first place where they occur there shall be substituted the words “ section 105(1) of the Pension Schemes (Northern Ireland) Act 1993 ”; and
 - (c) for those words in the second place where they occur there shall be substituted the words “ that section ”.

The Births and Deaths Registration (Northern Ireland) Order 1976 (N.I. 14)

- 16 The following entry shall be inserted at the end of Schedule 1 to the Births and Deaths Registration (Northern Ireland) Order 1976— “ The Pension Schemes (Northern Ireland) Act 1993. ”

The Judicial Pensions Act 1981 (c. 20)

- 17 In section 33A(9) of the Judicial Pensions Act 1981—

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- (a) in the definition of “occupational pension scheme” for the words “Article 2(2) of the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”;
- (b) in the definition of “personal pension scheme” for the words “Article 2(2) of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”.

18 In Schedule 1A to that Act—

- (a) in paragraph 1 in the definition of “protected rights” for the words “the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ the Pension Schemes (Northern Ireland) Act 1993 ”;
- (b) in paragraph 3 for the words “Part II of Schedule 1A to the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ Chapter IV of Part IV of the Pension Schemes (Northern Ireland) Act 1993 ”;
- (c) in paragraph 6(6)(a)(ii) for the words “Article 4 of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 3 of the Pension Schemes (Northern Ireland) Act 1993 ”.

The Forfeiture (Northern Ireland) Order 1982 (N.I. 14)

19 In the definition of “relevant enactment” in Article 6(5) of the Forfeiture (Northern Ireland) Order 1982 there shall be inserted at the appropriate place the words— “ the Pension Schemes (Northern Ireland) Act 1993, ”.

The Companies (Northern Ireland) Order 1986 (N.I. 6)

F⁴20

Textual Amendments

F4 Sch. 7 para. 20 repealed (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), [Sch. 2](#) (with art. 10)

The Audit (Northern Ireland) Order 1987 (N.I. 5)

21 In Article 4A(13) of the Audit (Northern Ireland) Order 1987, in the definition of “judicial pension scheme”—

- (a) for the words “section 66(1) of the Social Security Pensions Act 1975” there shall be substituted the words “ section 1 of the Pension Schemes Act 1993 ”;
- (b) for the words “Article 2(2) of the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”.

The Income and Corporation Taxes Act 1988 (c. 1)

F⁵22

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Textual Amendments

F5 Sch. 7 para. 22 repealed (6.4.2006) by [Finance Act 2004 \(c. 12\)](#), **Sch. 42 Pt. 3** (with [Sch. 36](#))

The Official Secrets Act 1989 (c. 6)

23 In paragraph 4 of Schedule 1 to the Official Secrets Act 1989 for the words “Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ Pension Schemes (Northern Ireland) Act 1993 ”.

The Finance Act 1989 (c. 26)

24 In paragraph 11(2)(b) of Schedule 7 to the Finance Act 1989 for the words “Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ Pension Schemes (Northern Ireland) Act 1993 ”.

The Insolvency (Northern Ireland) Order 1989 (N.I. 19)

25 In paragraph 8 of Schedule 4 to the Insolvency (Northern Ireland) Order 1989 for the words “Schedule 4 to the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ Schedule 3 to the Pension Schemes (Northern Ireland) Act 1993 ”.

The Social Security Administration Act 1992 (c. 5)

^{F6}26

Textual Amendments

F6 Sch. 7 para. 26 repealed (6.4.1997) by [S.I. 1995/3213 \(N.I. 22\)](#), art. 168, **Sch. 5 Pt. III**; [S.R. 1997/192](#), **art. 2(b)**

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

27 In section 1(3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992, for the words from “Part IV” to “contributions)” there shall be substituted the words “ Chapter II of Part III of the Pensions Act (reduction in state scheme contributions and social security benefits for members of certified schemes) ”.

^{F7}28

Textual Amendments

F7 Sch. 7 para. 28 repealed (29.11.1999) by [S.I. 1998/1506 \(N.I. 10\)](#), art. 78(2), **Sch. 7**; [S.R. 1999/472](#), art. 2(1)(a), **Sch. 1**

^{F8}29

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Textual Amendments

F8 Sch. 7 para. 29 repealed (29.11.1999) by S.I. 1998/1506 (N.I. 10), art. 78(2), **Sch. 7**; S.R. 1999/472, art. 2(1)(a), **Sch. 1**

30 In section 20(3) of that Act, for the words from “Part IV” to “benefit” there shall be substituted the words “ Chapter II of Part III of the Pensions Act (reduction in state scheme contributions and social security benefits for members of certified schemes) ”.

31 In section 23(2) of that Act, after the word “Order” there shall be inserted the words “ or the Pensions Act ”.

32 In section 34(5) of that Act, for the words “Article 31 of the Pensions Order” there shall be substituted the words “ section 42 of the Pensions Act ”.

33 In section 47(3) of that Act, for the words “Article 31 of the Pensions Order” there shall be substituted the words “ section 42 of the Pensions Act ”.

^{F9}34

Textual Amendments

F9 Sch. 7 para. 34 repealed (6.4.1997) by S.I. 1995/3213 (N.I. 22), arts. 1(3), 168, **Sch. 5 Pt. II** Note; S.R. 1997/192, art. 2(b)

^{F10}35

Textual Amendments

F10 Sch. 7 para. 35 repealed (19.12.1995) by S.I. 1995/3213 (N.I. 22), arts. 165, 168, Sch. 4 para. 15, **Sch. 5 Pt. IV**; S.R. 1995/477, art. 2(a), **Sch. Pt. I**

36 In Schedule 5 to that Act—
(a) in paragraph 2(6), for the words “Article 31B(2) of the Pensions Order” there shall be substituted the words “ section 42(5) of the Pensions Act ”;

^{F11}(b)

^{F11}(c)

(d) in paragraph 7(2), for the words “Pensions Order” there shall be substituted the words “ Pensions Act ”.

Textual Amendments

F11 Sch. 7 para. 36(b)(c) repealed (6.4.1997) by S.I. 1995/3213 (N.I. 22), arts. 1(3), 168, **Sch. 5 Pt. II** Note; S.R. 1997/192, art. 2(b)

37 In paragraph 3 of Schedule 7 to that Act—
(a) in sub-paragraph (3), for the words “Article 31 of the Pensions Order” there shall be substituted the words “ section 42 of the Pensions Act ”;

(b) in sub-paragraph (11), for the words from “Article 31C of the Pensions Order” to “supplement” there shall be substituted the words “ section 42(6)

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to (8) (entitlement to guaranteed minimum pensions and increases of unemployment supplement) of the Pensions Act ”.

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

^{F12}38

Textual Amendments

F12 Sch. 7 para. 38 repealed (29.11.1999) by S.I. 1998/1506 (N.I. 10), art. 78(2), **Sch. 7**; S.R. 1999/472, art. 2(1)(a), **Sch. 1**

[^{F13}39 In section 104(8) of that Act, for paragraph (e) there shall be substituted—
“(e) the Pensions Act”].

Textual Amendments

F13 Sch. 7 para. 39 repealed (2.4.2001) by 2000 c. 4 (N.I.), ss. 67, 68(2), **Sch. 9 Pt. V** (with s. 66(6)); S.R. 2001/141, art. 2(1)(a), **Sch. Pt. I**

PROSPECTIVE

40 In section 130 of that Act, for the words “Social Security Pensions Act 1975” there shall be substituted the words “ Pension Schemes Act 1993 ”.

41 In section 132 of that Act—

(a) in subsection (3)(a), for the words “Article 37(6) of the Pensions Order” and “Article 38(3) of that Order” there shall be substituted respectively the words “ section 11(1) of the Pensions Act ” and “ section 13(2) of that Act ”;

(b) after subsection (3) there shall be inserted—

“(3A) Where a member of an appropriate personal pension scheme or a money purchase contracted-out scheme continues in employment after attaining pensionable age and the commencement of his pension under the scheme is postponed, the preceding provisions of this section shall have effect as if—

(a) the guaranteed minimum pension to which he is treated as entitled by virtue of section 44(2)(a) of the Pensions Act were subject to increases in accordance with the provisions of section 11(1) of that Act; and

(b) the amounts of any notional increases referred to in paragraph (a) above were subject to annual up-rating in the same way as if they were sums to which subsection (3)(a) above applied.”;

(c) in subsection (4), for the words “Article 37(6) of the Pensions Order” and “Article 39A of that Order” there shall be substituted respectively the words “ section 11(1) of the Pensions Act ” and “ section 105 of that Act ”; and

(d) in subsection (5), for the words “Article 37(6) of the Pensions Order” and “Article 38(3) of that Order” there shall be substituted respectively the words “ section 11(1) of the Pensions Act ” and “ section 13(2) of that Act ”.

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- 42 In section 167(1) of that Act—
- (a) the following definitions shall be inserted at the appropriate place—
 - ““money purchase contracted-out scheme” has the same meaning as in section 4(1)(a)(ii) of the Pensions Act;” and
 - ““pensionable age” has the same meaning as in section 121 of the Contributions and Benefits Act;”
 - (b) in the definition of “occupational pension scheme”, for the words “Article 2(2) of the Pensions Order” there shall be substituted the words “ section 1 of the Pensions Act ”;
 - (c) before the definition of “the Pensions Order”, there shall be inserted—
 - ““the Pensions Act” means the Pension Schemes (Northern Ireland) Act 1993;”
 - (d) in the definition of “personal pension scheme”, for the words “Article 2(2) of the 1986 Order” there shall be substituted the words “ section 1 of the Pensions Act ” and at the end of that definition there shall be added the words “ and “appropriate”, in relation to such a scheme, shall be construed in accordance with section 3 of that Act ”.

The Judicial Pensions and Retirement Act 1993 (c. 8)

- 43 (1) In section 10(8) of the Judicial Pensions and Retirement Act 1993—
- (a) in the definition of “occupational pension scheme” for the words “Article 2(2) of the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”;
 - (b) in the definition of “personal pension scheme” for the words “Article 2(2) of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”.
- (2) In section 13(9) of that Act, in the definition of “personal pension scheme”, for the words “Article 2(2) of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”.
- ^{F14}(3)
- (4) In section 30(1) of that Act, in the definition of “judicial pension scheme” for the words “Article 2(2) of the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”.
- (5) In Schedule 2 to that Act—
- (a) in paragraph 1—
 - (i) in the definition of “contracted-out scheme” for the words “Part IV of the Social Security Pensions (Northern Ireland) Order 1975”, there shall be substituted the words “ Part III of the Pension Schemes (Northern Ireland) Act 1993 ”;
 - (ii) in the definitions of “guaranteed minimum pension” and “protected rights” for the words “Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ Pension Schemes (Northern Ireland) Act 1993 ”;

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- (iii) in the definition of “personal pension scheme” for the words “Article 2(2) of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 1 of the Pension Schemes (Northern Ireland) Act 1993 ”;
- (b) in paragraph 3 for the words “Part II of Schedule 1A to the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “ Chapter IV of Part IV of the Pension Schemes (Northern Ireland) Act 1993 ”;
- (c) in paragraph 6(6)(a)(ii) for the words “Article 4 of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 3 of the Pension Schemes (Northern Ireland) Act 1993 ”.

Textual Amendments

F14 Sch. 7 para. 43(3) repealed (6.4.1997) by [S.I. 1995/3213 \(N.I. 22\)](#), art. 168, [Sch. 5 Pt. IV](#); [S.R. 1997/192](#), [art. 2\(b\)](#)

The Social Security (Northern Ireland) Order 1993 (N.I. 2)

- 44 In Article 4(1) of the Social Security (Northern Ireland) Order 1993—
- (a) in paragraph (b) of the definition of “estimated benefit expenditure”, for the words “Articles 42(1) and 43(1)” there shall be substituted the words “ Article 42(1) ”; and
 - (b) at the end there shall be inserted the words “and
 - (c) under section 172(1)(b) of the Pension Schemes (Northern Ireland) Act 1993”.

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