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## STATUTORY INSTRUMENTS

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# 2005 No. 255 (N.I. 1)

## The Pensions (Northern Ireland) Order 2005

- - - - 9th February 2005

### THE PENSIONS (NORTHERN IRELAND) ORDER 2005

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1. (1) Subject to sub-paragraph (2), the Board may authorise— (a) any executive member of the...
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3. (1) Without prejudice to the generality of Article 145 and subject to sub-paragraph (2),...
4. The transfer is binding on all persons, even if, apart from this paragraph, it would...
5. No person shall have any power, in consequence of the transfer, to terminate or modify...
6. Any reference in any agreement, document or instrument of any description to the trustees or...

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7. (1) The Board must take all such steps as may be required to secure that...

## SCHEDULE 6 — PENSION COMPENSATION PROVISIONS

### — Introductory

1. This Schedule applies for the purposes of determining the compensation...
2. In this Schedule references to “the assessment date” are to...
  - Pensions in payment at assessment date
3. (1) Compensation is payable in accordance with this paragraph where...
4. (1) This paragraph applies where— (a) the pensioner dies on...
  - Pension benefits postponed at assessment date
5. (1) Compensation is payable in accordance with this paragraph where...
6. (1) This paragraph applies where the postponed pensioner—
7. (1) Compensation is payable in accordance with this paragraph where...
  - Active members over normal pension age at assessment date
8. (1) Compensation is payable in accordance with this paragraph where...
9. (1) This paragraph applies where the active member dies on...
10. (1) Compensation is payable in accordance with this paragraph where...
  - Active members who have not attained normal pension age at assessment date
11. (1) Compensation is payable in accordance with this paragraph where...
12. (1) This paragraph applies for the purposes of paragraph 11(4)(b)...
13. (1) This paragraph applies where the active member dies on...
14. (1) Compensation is payable in accordance with this paragraph where...
  - Deferred members who have not attained normal pension age at assessment date
15. (1) Compensation is payable in accordance with this paragraph where...
16. (1) This paragraph applies for the purposes of paragraph 15(4)(b)...
17. (1) This paragraph applies for the purposes of paragraph 15(4)(c)...
18. (1) This paragraph applies where— (a) the deferred member dies...
19. (1) Compensation is payable in accordance with this paragraph where...
  - Compensation in respect of scheme right to transfer payment or contribution refund
20. (1) Compensation is payable in accordance with this paragraph where—...
  - Pension credit members who have not attained normal benefit age at assessment date
21. (1) This paragraph applies to a person who—
- 21A (1) This paragraph applies to a person who—
  - Survivors who do not meet conditions for scheme benefits at assessment date
22. (1) Compensation is payable in accordance with this paragraph where—...
  - Compensation in form of dependants' benefits
23. (1) Regulations may provide for compensation to be payable, in...
  - Effect of discharge of liability during or immediately before assessment period
- 23A (1) This paragraph applies if— (a) at any time during...
  - Commutation of periodic compensation
24. (1) In prescribed circumstances, a person entitled to periodic compensation...
  - Early payment of compensation
25. (1) Regulations may prescribe circumstances in which, and conditions subject...



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*Postponement of compensation*

- 25A (1) Regulations may prescribe circumstances in which, and conditions subject...

*Terminal illness lump sum: eligibility*

- 25B (1) This paragraph applies to a person in relation to...

*Terminal illness lump sum: application*

- 25C An application for a terminal illness lump sum—

*Terminal illness lump sum: determination of application*

- 25D (1) The Board must determine an application for a terminal...

*Terminal illness lump sum: effect of successful application*

- 25E (1) If the Board grants an application for a terminal...

*Terminal illness lump sum: information*

- 25F (1) Relevant information held by the Department or the Secretary...  
— Compensation cap
26. (1) Where— (a) a person becomes entitled to relevant compensation...
- 26A (1) This paragraph gives the meaning of “ the compensation...  
— Increasing the compensation cap in line with earnings
27. Where, pursuant to paragraph 27 of Schedule 7 to the...  
— Annual increase in periodic compensation
28. (1) This paragraph provides for the increases mentioned in sub-paragraph...  
— Board's powers to alter rates of revaluation and indexation
29. (1) The Board may determine what is to be the...  
— Department's powers to vary percentage paid as compensation
30. (1) The Department may, on the recommendation of the Board,...  
— Special provision in relation to certain pensions in payment before the assessment date
31. (1) The powers conferred by this paragraph are exercisable in...  
— Short periods of service which terminate on commencement of assessment period
32. (1) This paragraph applies to a member of the scheme...  
— Power to modify Schedule in its application to certain schemes
33. (1) Where the scheme is a prescribed scheme or a...  
— Normal pension age
34. (1) In this Schedule “normal pension age”, in relation to...  
— Scheme rules, admissible rules etc.
35. (1) In this Schedule, in relation to the scheme, each...  
— Accrual rate, pensionable service and pensionable earnings
36. (1) In this Schedule, in relation to a member's entitlement...  
— Other definitions
37. (1) In this Schedule— “deferred member”, in relation to the...

SCHEDULE 7 — RESTRICTED INFORMATION HELD BY THE BOARD:  
CERTAIN PERMITTED DISCLOSURES TO FACILITATE  
EXERCISE OF FUNCTIONS

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## SCHEDULE 8 — REVIEWABLE MATTERS

1. The issue of a determination notice under Article 107 approving a notice issued under Article...
2. The failure to issue a determination notice under Article 107.
3. The issue of, or failure to issue, a notice under Article 106 by the Board...
- 3A The issue of, or failure to issue, a validation notice under regulation 2(5) of the...
- 3B The provision of information by the Board under— (a) regulation 3(2) of the Pension Protection...
4. The issue of, or failure to issue— (a) a scheme failure notice under paragraph (2)...
5. Any direction given under paragraph (2) of Article 118 (directions during an assessment period) or...
6. The issue of a notice under Article 120(2) (power to validate contraventions of Article 119).
7. The making of a loan under Article 123(2) (loans to pay scheme benefits), the amount...
- 7A Any determination by the Board under Article 125(2) (determination on a review of an ill...
- 7B A notice under Article 127(2A) (whether Board will make a determination or obtain an actuarial...
- 7C The failure by the Board either to— (a) make a determination under Article 127(2)(a), or...
- 7D A determination by the Board under Article 127(2)(a) (whether condition in Article 111(2)(a) or Article...
9. The approval of, or failure to approve, a valuation in respect of an eligible scheme...
10. The issue of, or failure to issue, a withdrawal notice under or by virtue of —...
11. The issue of, or failure to issue, a withdrawal notice under Article 132 (no insolvency...
12. The issue of, or failure to issue, a determination notice under Article 136(3) (whether value...
13. The issue of, or failure to issue, a determination notice under Article 137(6) (authorisation to...
14. Any direction given under Article 138(7) (directions about winding up of scheme with sufficient assets...
- 14A A notice under Article 142(3A) (whether Board will make a determination or obtain an actuarial...
- 14B The failure by the Board either to— (a) make a determination under Article 142(3)(a), or...
- 14C A determination by the Board under Article 142(3)(a) (whether condition in Article 142(1) satisfied).
15. The failure by the Board to give a transfer notice under Article 144.
16. Any determination by the Board of a person's entitlement to compensation under the pension compensation...
- 16A Any step taken by the Board under Article 147(4)(a) (adjustments to be made where Board...
- 16B Any determination by the Board, or the failure to make a determination, under regulation 6(2)...
- 16C Any determination by the Board of a person's entitlement to compensation under Chapter 1 of...

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- 16D A determination by the Board that any right of a person to PPF compensation is...
- 16E A determination by the Board that the implementation period for a pension compensation credit (within...
- 16F The recovery of a charge from a person under regulation 16 of the Pension Protection...
- 16G Any determination by the Board, or the failure to make a determination, under regulation 53(1)...
- 16H Any determination by the Board, or the failure to make a determination, under regulation 54(2)...
- 16I Any direction given by the Board, or the failure to give a direction, under regulation...
- 17. Any failure by the Board to make a payment required by Article 147(4)(b) (adjustments to...
- 17A The making of a payment under Article 150(2) (amount of any pensions or other benefits...
- 17B Any determination made by the Board under regulation 16(2) or (5)(b) of the Pension Protection...
- 18. Any determination by the Board under Article 164(3)(a) (the eligible schemes in respect of which...
- 19. The amount of the initial levy or any pension protection levy payable in respect of...
- 19A Any determination by the Board of an application for the grant of a waiver under...
- 19B Any determination by the Board under regulation 19A(7) or (8) of the Pension Protection Fund...
- 20. The making of a fraud compensation payment under Article 165(1), the amount of any such...
- 21. The issue of, or failure to issue, a notice under Article 166(2) (scheme rescue not...
- 22. Any settlement date determined by the Board under Article 167(2) (recovery of value) or the...
- 23. Any determination by the Board under Article 167(4) (recovery of value: whether amount received in...
- 24. The making of a payment under Article 169(1) (interim payments), the amount of any such...
- 25. Any term or condition imposed by the Board— (a) under Article 168(2) on the making...
- 26. Any determination by the Board under Article 169(3)(b) (interim payments) that the amount of a...
- 27. Any date determined by the Board under Article 170(4) (earliest date for making a fraud...
- 28. Any determination by the Board under Article 170(6) (fraud compensation transfer payments: whether payment is...
- 29. Any determination by the Board under Article 171(7)(a) (occupational pension schemes in respect of which...
- 30. The amount of any fraud compensation levy payable in respect of an occupational pension scheme...

— Schedule 9— Amendments

— Schedule 10 —Amendments

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— Schedule 11—Repeals

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