

1989 No. 105

SOCIAL SECURITY

The Personal and Occupational Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 1989

Made 23rd March 1989

Coming into operation 6th April 1989

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 53 of, and paragraph 6 of Schedule 2 to, the Social Security Pensions (Northern Ireland) Order 1975(a) and Articles 3(9) and 18(1) of the Social Security (Northern Ireland) Order 1986(b) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Personal and Occupational Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 1989 and shall come into operation on 6th April 1989.

Amendment of the Occupational Pension Schemes (Contracting-out) Regulations (Northern Ireland) 1985

2. In regulations 17(3), 22(5)(b)(ii) and 40(1) of the Occupational Pension Schemes (Contracting-out) Regulations (Northern Ireland) 1985(c) for “£16” in each place where it occurs there shall be substituted “£17”.

Amendment of the Personal and Occupational Pension Schemes (Modification of Enactments) Regulations (Northern Ireland) 1987

3. After regulation 3 of the Personal and Occupational Pension Schemes (Modification of Enactments) Regulations (Northern Ireland) 1987(d) there shall be inserted the following regulation—

“Modification of the provisions of Part VII of the Order in consequence of Part II of the Order

4. 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, Article 64 of the Order shall have effect as if—

(a) S.I. 1975/1503 (N.I. 15); paragraph 6 of Schedule 2 was amended by Article 4(11) of the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8)). *See also* Article 2(3)

(b) S.I. 1986/1888 (N.I. 18)

(c) S.R. 1985 No. 259; relevant amending regulations are S.R. 1985 No. 355, S.R. 1987 No. 292 and S.R. 1988 No. 108

(d) S.R. 1987 No. 294; relevant amending regulations are S.R. 1988 Nos. 107 and 214

- (a) the guaranteed minimum pension to which he is treated as entitled by virtue of Article 6(1)(a) of the Order or, as the case may be, by virtue of Article 31(2A) of the Pensions Order(a) was subject to increases in accordance with the provisions of Article 37(6) of the Pensions Order(b); and
- (b) the amounts of any notional increases referred to in paragraph (a) were subject to annual up-rating in the same way as if they were sums to which Article 64(3)(a) of the Order applied.”.

Amendment of the Personal Pension Schemes (Appropriate Schemes) Regulations (Northern Ireland) 1988

4. Regulation 12 of the Personal Pension Schemes (Appropriate Schemes) Regulations (Northern Ireland) 1988(c) shall be amended in accordance with paragraphs (a) to (c)—

- (a) in paragraph (2) for “Subject to paragraph (3)” there shall be substituted “Subject to paragraphs (2A) and (3)”;
- (b) in paragraph (2)(a) and (c) for “the Department receives the notice” there shall be substituted “the notice is completed by the earner”; and
- (c) after paragraph (2) there shall be inserted the following paragraph—
“(2A) A notice given—
 - (a) pursuant to paragraph (2)(a) must be received by the Department not later than 17th May in the following tax year;
 - (b) pursuant to paragraph (2)(c) must be received by the Department not later than 17th May 1989.”.

Sealed with the Official Seal of the Department of Health and Social Services on 23rd March 1989.

(L.S.)

A. N. Burns

Assistant Secretary

(a) Article 31(2A) was inserted by paragraph 4 of Schedule 2 to the Social Security (Northern Ireland) Order 1986
(b) Article 37(6) was amended by Article 4(2) of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977 (S.I. 1977/610 (N.I. 11))
(c) S.R. 1988 No. 34, to which there are amendments not relevant to these regulations

(This note is not part of the Regulations.)

These regulations make miscellaneous amendments to regulations about personal and occupational pension schemes.

Regulation 2 amends the Occupational Pension Schemes (Contracting-out) Regulations (Northern Ireland) 1985 by increasing, from £16 to £17, the amount of a state scheme premium below which it need not be paid.

Regulation 3 amends the Personal and Occupational Pension Schemes (Modification of Enactments) Regulations (Northern Ireland) 1987 by inserting a new regulation 4 which provides for the guaranteed minimum pension to which a member of an appropriate personal pension scheme or a money purchase contracted-out scheme is treated as entitled to be treated as if it were also subject to increments on deferment of pension and for those increments to be subject to annual up-rating.

Regulation 4 amends the Personal Pension Schemes (Appropriate Schemes) Regulations (Northern Ireland) 1988. It extends in certain circumstances the deadline for notifying the Department of the date from which a scheme is to be the earner's chosen scheme.