

SCHEDULE 2

Regulations 12 and 13

Modifications of Part III of the 1993 Act

1. The definition of “guaranteed minimum pension” in section 4(2) shall have effect as if—
 - (a) after “sections 9 and 13” there were inserted “or in compliance with the condition set out in paragraph 1 or 6 of Schedule 1 to the Contracting-out (Transfer and Transfer Payment) Regulations (Northern Ireland) 1996 (or, as the case may be, in paragraph 1 or 5 of Schedule 2 to the Contracting-out (Transfer) Regulations (Northern Ireland) 1985)”;
 - (b) at the end there were added “or of that condition”.
2. Section 10(1) shall have effect as if the reference to employment which is contracted-out by reference to the scheme included a reference to employment in any period of linked qualifying service which was contracted-out by reference to the transferring scheme.
3. Section 16(6) shall have effect as if after “sections 9 and 13” there were inserted “or in compliance with the condition set out in paragraph 1 or 6 of Schedule 1 to the Contracting-out (Transfer and Transfer Payment) Regulations (Northern Ireland) 1996 (or, as the case may be, in paragraph 1 or 5 of Schedule 2 to the Contracting-out (Transfer) Regulations (Northern Ireland) 1985)”.
4. Section 42 shall have effect as if the reference in subsection (1)(b) to one or more guaranteed minimum pensions included the guaranteed minimum pensions which would have been payable if they had been preserved in and paid by the transferring scheme or policy.
5. Section 155 shall have effect as if subsections (1)(b) and (3) were omitted.
6. The definition of “guaranteed minimum pension” in section 4(2) shall have effect as if—
 - (a) after “sections 9 and 13” there were inserted “or in compliance with the condition set out in paragraph 5 of Schedule 1 to the Contracting-out (Transfer and Transfer Payment) Regulations (Northern Ireland) 1996 (or, as the case may be, in regulation 2A(4) of the Contracting-out (Transfer) Regulations (Northern Ireland) 1985)”, and
 - (b) at the end there were added “or of that condition”.
7. Section 16(6) shall have effect as if after “sections 9 and 13” there were inserted “or in compliance with the condition set out in paragraph 5 of Schedule 1 to the Contracting-out (Transfer and Transfer Payment) Regulations (Northern Ireland) 1996 (or, as the case may be, in regulation 2A(4) of the Contracting-out (Transfer) Regulations (Northern Ireland) 1985)”.