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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 170**

The Personal and Occupational Pension Schemes  
(Indexation and Disclosure of Information) (Miscellaneous  
Amendments) Regulations (Northern Ireland) 2005

PART 2

AMENDMENTS RELATING TO INDEXATION

*Pension Credit Benefit Regulations*

**Eligible pension credit rights**

**16.** For regulation 35 of the Pension Credit Benefit Regulations (definition of eligible pension credit rights) there shall be substituted the following regulation –

**“Definition of eligible pension credit rights**

**35.**—(1) For the purposes of Article 37(3) of the 1999 Order<sup>(1)</sup>, pension credit rights are eligible if they fall within paragraph (2) and are not excluded by paragraph (3).

(2) Pension credit rights are within this paragraph if –

- (a) they are derived from rights attributable to pensionable service on or after 6th April 1997 of the member whose pension rights were the subject of a pension sharing order or provision, or
- (b) they are safeguarded rights.

(3) Excluded pension credit rights are –

- (a) rights to pensions which are money purchase benefits and which become pensions in payment on or after 6th April 2005, or
- (b) rights derived from additional voluntary contributions.”.

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(1) Article 37 is amended by Article 257 of the Pensions (Northern Ireland) Order 2005 (S.I. 2005/255 (N.I. 1))