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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 115**

**The Occupational and Personal Pension  
Schemes (Miscellaneous Amendments)  
Regulations (Northern Ireland) 2009**

**Amendment of the Pension Sharing (Pension Credit Benefit) Regulations**

**14.**—(1) The Pension Sharing (Pension Credit Benefit) Regulations (Northern Ireland) 2000<sup>(1)</sup> shall be amended in accordance with paragraphs (2) to (6).

(2) In regulation 1(2) (interpretation)—

- (a) omit the definition of “incapacity”;
- (b) in the definition of “Regulatory Authority” for “the Occupational Pensions Regulatory Authority” substitute “the Pensions Regulator”.

<sup>F1</sup>(3) .....

(4) In regulation 7 (early retirement or deferred retirement)—

(a) for paragraphs (2) and (3) substitute—

“(2) The benefits referred to in paragraph (1) must include a benefit that is both—

- (a) payable to the person entitled to the pension credit benefit, and
- (b) not payable before normal benefit age except where the person entitled to the benefit has either—
  - (i) met the ill-health condition in accordance with paragraph 1 of Schedule 28 to the Finance Act 2004 (registered pension schemes: authorised pensions – defined benefits and money purchase arrangements) immediately before that person became entitled to the benefit, or
  - (ii) attained normal minimum pension age (as defined in section 279(1) of that Act).”;

(b) in paragraph (4)(a) for “incapacity or serious ill health” substitute “physical or mental infirmity”;

(c) omit paragraph (6).

(5) In regulation 13 (conditions on which pension credit benefit secured by insurance policies and annuity contracts may be commuted) for the words from “if it satisfies” to the end substitute “in the circumstances described in regulation 3 (pension credit benefit in lump sum form)”.

(6) In regulation 22(1)(b) (requirements to be met by an eligible scheme)—

- (a) omit “any of sub-paragraphs (a) to (e) of”;
- (b) after “is made is”, in the second place where it occurs, insert “also”;
- (c) for “regulation 21(2)(a), (c) or (e)” substitute “regulation 21(2)”.

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(1) S.R. 2000 No. 146; relevant amending provisions are S.I. 2006/744, S.R. 2006 No. 141 and S.R. 2007 No. 338

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**Changes to legislation:** There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2009, Section 14. (See end of Document for details)

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**Textual Amendments**

- F1** Reg. 14(3) revoked (1.12.2009) by The Occupational and Personal Pension Schemes (Authorised Payments) Regulations (Northern Ireland) 2009 (S.R. 2009/365), regs. 1(1), **10(c)**
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**Commencement Information**

- I1** Reg. 14 in operation at 6.4.2009, see **reg. 1(2)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2009, Section 14.