
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 290

The Public Service (Civil Servants and Others)
Pensions Regulations (Northern Ireland) 2014

PART 10

Transfers

CHAPTER 4

Bulk transfers

Bulk transfers out

155.—(1) This regulation applies if—

- (a) the employment of one or more active members (“the transferring employees”) is transferred without their consent to a new employer,
- (b) on that transfer, the transferring employees—
 - (i) cease to be eligible to be active members of this scheme, and
 - (ii) become active members of another occupational pension scheme (“the new employer’s scheme”),
- (c) the scheme manager has agreed special terms for making transfer payments to the new employer’s scheme in respect of the rights of the transferring employees, after consultation with the scheme actuary, and
- (d) the transferring employees have consented in writing to their rights being transferred in accordance with those terms.

(2) This regulation also applies if—

- (a) the rights of one or more members (“the transferred members”) are transferred to another occupational pension scheme (“the new scheme”) from this scheme without their consent in accordance with section 69(2)(a)(i) and (4)(b) (form of short service benefit and its alternatives) of the 1993 Act, and
- (b) the scheme manager has agreed special terms for the making of transfer payments to the new scheme in respect of the rights of the transferred members, after consultation with the scheme actuary.

(3) The transfer payment to be made in respect of the rights of the transferring employees or the transferred members is an amount that the scheme manager determines to be appropriate under the special terms, after consulting the scheme actuary.

(4) This Part has effect with any modifications the scheme manager considers necessary to give effect to those terms.

(5) If the Department gives an undertaking concerning the pension rights of the transferring employees or the transferred members, this Part has effect with any modifications the scheme manager considers necessary to reflect the terms of the undertaking.

(6) If the transfer is directly or indirectly attributable to an enactment, this Part has effect with any modifications the scheme manager considers necessary in consequence of the transfer.

Bulk transfers in

156.—(1) This regulation applies if—

- (a) the employment of one or more persons (“the transferred employees”) is transferred without their consent to a new employer;
- (b) on that transfer, the transferred employees—
 - (i) cease to be active members of an occupational pension scheme (“the former employer’s scheme”); and
 - (ii) become active members of this scheme;
- (c) the scheme manager has agreed special terms for the acceptance of transfer payments from the former employer’s scheme in respect of the rights of the transferred employees, after consulting the scheme actuary, and
- (d) the transferred employees have consented in writing to their rights being transferred in accordance with those terms.

(2) This regulation also applies if—

- (a) the rights of one or more persons (“the transferred members”) are transferred from an occupational pension scheme (“the former scheme”) to this scheme without their consent in accordance with section 69(2)(a)(i) and (4)(b) (form of short service benefit and its alternatives) of the 1993 Act; and
- (b) the scheme manager has agreed special terms for the acceptance of transfer payments from the former scheme in respect of the rights of the transferred members, after consultation with the scheme actuary.

(3) This scheme has effect with any modifications the scheme manager considers necessary to give effect to the special terms.

(4) If the Department gives an undertaking concerning the pension rights of the transferred employees or the transferred members, this scheme has effect with any modifications the scheme manager considers necessary to reflect the terms of the undertaking.

(5) If the transfer is directly or indirectly attributable to an enactment, this scheme has effect with any modifications the scheme manager considers necessary in consequence of the transfer.