
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 158

The Pensions (2015 Act) (Abolition of Contracting-out for Salary Related Pension Schemes) (Consequential Amendments and Savings) Order (Northern Ireland) 2016

PART 2

Amendments coming into operation on 6th April 2016

Saving of the Contracting-out (Transfer and Transfer Payment) Regulations

6.—(1) Regulation 12(a) and (b) of, and paragraph 2 of Schedule 2 to, the Contracting-out (Transfer and Transfer Payment) Regulations (Northern Ireland) 1996 (modifications of Part III of the 1993 Act) continue to have effect as if the amendments made by Article 5(7)(b) and (c) and (11)(c) had not been made, in relation to a transfer of accrued rights to guaranteed minimum pensions of an earner who was in employment which was contracted-out by reference to the receiving scheme, where that transfer occurred before the second abolition date.

(2) Regulation 13(a) and (b) of, and paragraph 2 of Schedule 2 to, the Contracting-out (Transfer and Transfer Payment) Regulations (Northern Ireland) 1996 continue to have effect as if the amendments made by Article 5(8)(b) and (c) and (11)(c) had not been made, in relation to a transfer of accrued rights to guaranteed minimum pensions from an appropriate policy where the earner was in employment which was contracted-out by reference to the receiving scheme and the transfer occurred before the second abolition date.

(3) For the purposes of this Article—

“accrued rights” has the meaning given in section 16(6) of the Pension Schemes Act⁽¹⁾ (transfer of accrued rights);

“appropriate policy” means a policy of insurance or an annuity contract as described in section 15(4)⁽²⁾ of the Pension Schemes Act (discharge of liability where guaranteed minimum pensions are secured by insurance policies or annuity contracts);

“employment which was contracted-out” is to be construed in accordance with section 4(1)⁽³⁾ of the Pension Schemes Act (meaning of “contracted-out employment”, “guaranteed minimum pension” and “minimum payment”);

“guaranteed minimum pension” has the meaning given in section 4(2)⁽⁴⁾ of the Pension Schemes Act;

(1) Section 16(6) was amended by paragraph 7 of Schedule 1 to [S.R. 2005 No. 433](#)

(2) Section 15(4) was amended by article 129(2) of [S.I. 2001/3649](#) and regulation 2(3) of [S.R.2007 No. 457](#)

(3) Section 4(1) was substituted by paragraph 7(2) of Schedule 13 to the Pensions Act (Northern Ireland) 2015 (c. 5 (N.I.))

(4) Section 4(2) was amended by paragraph 7(4) of Schedule 13 to the Pensions Act (Northern Ireland) 2015 and paragraph 2 of Schedule 1 to [S.R. 2005 No. 433](#)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“the second abolition date” has the meaning given in section 176(1)(5) of the Pension Schemes Act.

(5) The definition of “the second abolition date” was inserted by paragraph 42(2) of Schedule 13 to the Pensions Act (Northern Ireland) 2015