
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to subordinate legislation relating to the abolition of contracting-out of the additional State Pension for salary related pension schemes, and the calculation of a lump sum payment to an individual who deferred receipt of their Graduated Retirement Benefit. The Regulations also make amendments to secondary legislation to provide a new fixed rate of revaluation of guaranteed minimum pensions for those leaving pensionable service after 5th April 2017.

Regulation 2 makes amendments to the Contracting-out (Transfer and Transfer Payment) Regulations (Northern Ireland) 1996 to state that those Regulations apply to salary related pension schemes that ceased to contract out on the second abolition date.

Regulation 3 makes amendments to the Social Security (Graduated Retirement Benefit) Regulations (Northern Ireland) 2005 in order to provide for the calculation of entitlement, under the old State Pension, to a lump-sum Graduated Retirement Benefit. It inserts a cross-reference to regulation 22C of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987. The cross-reference sets the day on which a period starts for the purposes of calculating the amount of a lump sum of Graduated Retirement Benefit.

Regulation 4 makes amendments to the Occupational Pension Schemes (Schemes that were Contracted-out) Regulations (Northern Ireland) 2016 to provide that a guaranteed minimum pension can also be paid to an earner's survivor where such a person is entitled to bereavement support payment and defines the period for which the guaranteed minimum pension can be paid in this situation. It also provides a new fixed rate of revaluation of guaranteed minimum pensions for those leaving pensionable service after 5 April 2017.

As these Regulations, in so far as they are made under the Social Security Contributions and Benefits (Northern Ireland) Act 1992, make in relation to Northern Ireland only provision corresponding to provision contained in regulations made by the Secretary of State for Work and Pensions in relation to Great Britain, they are accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.