

Status: Point in time view as at 07/02/1994.

Changes to legislation: Pension Schemes (Northern Ireland) Act 1993, Cross Heading: Contracting-out requirements for schemes providing guaranteed minimum pensions is up to date with all changes known to be in force on or before 30 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 5

TRANSITIONAL PROVISIONS AND SAVINGS

PART II

SPECIFIC PROVISIONS

Contracting-out requirements for schemes providing guaranteed minimum pensions

- 7 An occupational pension scheme which—
- (a) at any time before the coming into operation of the first regulations made under—
- (i) sub-paragraph (a) of paragraph (2) of Article 34 of the ^{M1}Social Security Pensions (Northern Ireland) Order 1975 (which corresponded to section 5(2)(a) of this Act), or
- (ii) paragraph (8) of Article 37 of the Social Security Pensions (Northern Ireland) Order 1975 (which corresponded to section 12(4) of this Act),
- did not satisfy that sub-paragraph or, as the case may be, that paragraph; but
- (b) would have satisfied it if those regulations had then been in operation,
- shall, for the purpose of determining whether the scheme satisfied that sub-paragraph or, as the case may be, that paragraph, be treated as if those regulations had been in operation at that time.

Marginal Citations

M1 S.I. 1975/1503 (N.I. 15).

- 8 Any document the contents of which are in terms corresponding to those of paragraph (7) of Article 37 of the ^{M2}Social Security Pensions (Northern Ireland) Order 1975 as that paragraph stood immediately before the making of the ^{M3}Social Security (Northern Ireland) Order 1985 (which corresponded to section 12(2) and (3) of this Act, but with the substitution for the words from “is terminated before” onwards of the words “is terminated before he attains the scheme’s normal pension age shall be determined for the purposes of section 10(2) without reference to any order that comes into operation under Article 23 of the Social Security Pensions (Northern Ireland) Order 1975 after the relevant year in which his service ends”) shall be construed as if its contents were and always had been in terms corresponding to those of section 12(2) and (3) of this Act.

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Marginal Citations

M2 [S.I. 1975/1503 \(N.I. 15\).](#)

M3 [S.I. 1985/1209 \(N.I. 16\).](#)

- 9 The requirement of the Social Security Pensions (Northern Ireland) Order 1975 that for an occupational pension scheme to be contracted-out in relation to an earner's employment it must provide requisite benefits shall, except so far as it relates to guaranteed minimum pensions, be treated for the purposes of section 33 of this Act as if it had never existed.
- 10 (1) Where in the tax year 1989-90 the trustees or managers of an occupational pension scheme made an increase in the rate of pensions currently payable to the members of the scheme who had attained pensionable age or to the widows or widowers of members, they may deduct the amount of the increase from any increase which, but for this sub-paragraph, they would be required to make under section 105 in the tax year 1990-91.
- (2) Subsections (1) and (4) of section 106 shall apply to sub-paragraph (1) as they apply to subsections (2) and (3) of that section.

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