

Status: Point in time view as at 07/02/1994.

Changes to legislation: Pension Schemes (Northern Ireland) Act 1993, Cross Heading: Overriding effect of certain requirements for existing contracted-out and appropriate schemes is up to date with all changes known to be in force on or before 21 May 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

Overriding effect of certain requirements for existing contracted-out and appropriate schemes

- 11 (1) Subject to sub-paragraph (2), if immediately before paragraph 6 of Schedule 4 to the ^{M1}Social Security (Northern Ireland) Order 1990 came into operation a contracting-out certificate was in force in relation to an occupational pension scheme then, to the extent that the rules of the scheme are inconsistent with the inclusion in section 9(2) (a) of this Act of the words “and does not have a guaranteed minimum under sections 10 to 12” and the inclusion in section 10 of this Act of subsection (3) of that section, they shall be overridden by them.
- (2) If paragraph 4(3) of Schedule 8 has or ever had effect in respect of this paragraph, sub-paragraph (1) shall have effect with the substitution for the words “ paragraph 6 of Schedule 4 to the Social Security (Northern Ireland) Order 1990 ” of the words “ this paragraph ”.

Marginal Citations

M1 S.I. 1990/1511 (N.I. 15).

- 12 If immediately before 14th August 1990—
- (a) there was in force in relation to an occupational pension scheme a contracting-out certificate which stated that the scheme was contracted-out by virtue of Article 34(2A) of the Social Security Pensions (Northern Ireland) Order 1975, or
- (b) there was in force in relation to a personal pension scheme an appropriate scheme certificate,
- then, to the extent that the rules of the scheme are inconsistent with any provision of this Act derived from provision made by paragraph 16(1) or (2) or 17(1) to (3) of Schedule 6 to the ^{M2}Social Security (Northern Ireland) Order 1989 (by virtue of which—
- (i) section 23(3) applies to all protected rights and not only such rights as are mentioned in section 6(2) or (3);

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- (ii) section 24 includes subsection (1) and, in subsection (3), the words “Subject to subsections (5) and (7)”, the words from “except” to “subsection (4)” and the word “shall”; and
 - (iii) section 25 includes subsection (2)),
- they shall be overridden by that provision.

Marginal Citations

M2 [S.I. 1989/1342 \(N.I. 13\)](#).

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