



# Pension Schemes (Northern Ireland) Act 1993

## 1993 CHAPTER 49

### PART IV

#### PROTECTION FOR EARLY LEAVERS

#### CHAPTER I

##### PRESERVATION OF BENEFIT UNDER OCCUPATIONAL SCHEMES

#### **69 Form of short service benefit and its alternatives.**

- (1) Subject to subsection (2) and section 77, a member's short service benefit must be—
  - (a) payable directly out of the resources of the scheme; or
  - (b) assured to him by such means as may be prescribed.
- (2) Subject to subsections (3) to (5), a scheme may, instead of providing short service benefit, provide—
  - (a) for the member's accrued rights (including any transfer credits allowed under the scheme)—
    - (i) to be transferred to another occupational pension scheme with a view to acquiring transfer credits for the member under the other scheme, or
    - (ii) to be transferred to a personal pension scheme <sup>F1</sup> . . . with a view to acquiring rights for the member under the rules of the scheme <sup>F2</sup> . . .; or
  - (b) for such alternatives to short service benefit as may be prescribed.
- (3) The option conferred by subsection (2)(a) is additional to any obligation imposed by Chapter IV of this Part.
- (4) The alternatives specified in subsection (2)(a) and (b) may only be by way of complete or partial substitute for short service benefit—

*Status: Point in time view as at 27/04/2005. This version of this provision has been superseded.*

*Changes to legislation: Pension Schemes (Northern Ireland) Act 1993, Section 69 is up to date with all changes known to be in force on or before 10 July 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)*

- (a) if the member consents; or
  - (b) in such other cases as may be prescribed.
- (5) An alternative prescribed under subsection (2)(b) may only include payment by way of return of contributions—
- (a) if they relate to a period of service before 6th April 1975; or
  - (b) if there has been such a payment relating to a period of service before that date and the contributions relate to a period of service of less than 5 years after that date.

#### **Textual Amendments**

- F1** Words in s. 69(2)(a)(ii) ceased to have effect (1.12.1999 for certain purposes only) by [S.I. 1999/3147 \(N.I. 11\)](#), arts. 1(5)(a), 17, **Sch. 2 para. 2(a)** (with transitional provisions in art. 75(1)(2)) and repealed (25.4.2000) by [S.I. 1999/3147 \(N. I. 11\)](#) art. 17, Sch. 10 Pt. I; [S.R. 2000/133](#), art. 2(3), **Sch. Pt. II**
- F2** Words in s. 69(2)(a)(ii) ceased to have effect (1.12.1999 for certain purposes only) by [S.I. 1999/3147 \(N.I. 11\)](#), arts. 1(5)(a), 17, **Sch. 2 para. 2(a)** (with transitional provisions in art. 75(1)) and repealed (25.4.2000) by [S.I. 1999/3147 \(N. I. 11\)](#) art. 17, Sch. 10 Pt. I; [S.R. 2000/133](#), art. 2(3), **Sch. Pt. II**

#### **Modifications etc. (not altering text)**

- C1** S. 69 modified (27.4.2005) by [The Occupational and Personal Pension Schemes \(Pension Liberation\) Regulations \(Northern Ireland\) 2005 \(S.R. 2005/193\)](#), regs. 1(1), **2(5)**, (6)

**Status:**

Point in time view as at 27/04/2005. This version of this provision has been superseded.

**Changes to legislation:**

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