Pension Schemes (Northern Ireland) Act 1993

1993 CHAPTER 49

PART III

CERTIFICATION OF PENSION SCHEMES AND EFFECTS ON MEMBERS' STATE SCHEME RIGHTS AND DUTIES

CHAPTER I

CERTIFICATION

[F1 *Requirements for certification of occupational pension schemes applying from the principal appointed day*]

[F1**8B   Reference scheme.**

(1) This section applies for the purposes of section 8A.

(2) A reference scheme is an occupational pension scheme which—
  (a)   complies with each of subsections (3) and (4), and
  (b)   complies with any prescribed requirements.

(3) In relation to earners employed in employed earner's employment, a reference scheme is one which provides—
  (a)   for them to be entitled to a pension under the scheme commencing at a normal pension age of 65 and continuing for life, and
  (b)   for the annual rate of the pension at that age to be—
      (i) 1/80th of average qualifying earning in the last three tax years preceding the end of service,
    multiplied by

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> > (ii) the number of years service, not exceeding such number as would produce an annual rate equal to half the earnings on which it is calculated.

> (4) In relation to widows or widowers, a reference scheme is one which provides—

> > (a) for the widows or widowers of earners employed in employed earner's employment (whether the earners die before or after attaining the age of 65) to be entitled, except in prescribed circumstances, to pensions under the scheme; and

> > (b) except in prescribed circumstances, for the annual rate of the pensions, at the time when the widows or widowers first become entitled to them, to be—

> > > (i) in the case of widows or widowers of persons whose age when they died was, or was greater than, normal pension age, 50 per cent. of the annual rate which a reference scheme is required to provide for persons of that age, and

> > > (ii) in the case of widows or widowers of other persons, 50 per cent. of the annual rate which a reference scheme would have been required to provide in respect of the persons' actual periods of service if those persons had attained that age.

> (5) For the purposes of this section, an earner's qualifying earnings in any tax year are 90 per cent. of the amount by which the earner's earnings—

> > (a) exceed the qualifying earnings factor for that year; and

> > (b) do not exceed the upper earnings limit for that year multiplied by fifty-three.

> (6) Regulations may modify subsections (2) to (5).

> (7) In this section—

> > "normal pension age", in relation to a scheme, means the age specified in the scheme as the earliest age at which pension becomes payable under the scheme (apart from any special provision as to early retirement on grounds of ill-health or otherwise),

> > "qualifying earnings factor", in relation to a tax year, has the meaning given by section 121(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992, and

> > "upper earnings limit", in relation to a tax year, means the amount specified for that year by regulations made by virtue of section 5(3) of that Act as the upper earnings limit for Class 1 contributions.**]**

Textual Amendments

F1 Ss. 8A-8D inserted (6.4.1996 for certain purposes otherwise*prosp.*) by S.I. 1995/3213 (N.I. 22), **arts. 1(2)**, 133(5); S.R. 1996/91, arts. 2(d), **Sch. Pt. IV**

Status:
Point in time view as at 06/04/1996. This version of this provision has been superseded.

Changes to legislation:
Pension Schemes (Northern Ireland) Act 1993, Section 8B is up to date with all changes known to be in force on or before 26 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.