**1993 No. 126**

# SOCIAL SECURITY

## The Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 1993

| | |
|---|---|
| *Made* . . . . . | *18th March 1993* |
| *Coming into operation* . . | *6th April 1993* |

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 47(1)(*b*) and 58A(1) of the Social Security Pensions (Northern Ireland) Order 1975(**a**) and Article 5(5)(*a*) and (*cc*) of the Social Security (Northern Ireland) Order 1986(**b**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

*Citation and commencement*

**1.** These regulations may be cited as the Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 1993 and shall come into operation on 6th April 1993.

*Amendment of the Occupational Pension Schemes (Contracting-out) Regulations*

**2.** Regulation 21 of the Occupational Pension Schemes (Contracting-out) Regulations (Northern Ireland) 1985(**c**) (alternative to limited revaluation premium) shall be amended in accordance with paragraphs (*a*) to (*e*)—

(*a*) in paragraph (3)—

(i) "Subject to paragraph (3A)," shall be omitted;

(ii) for "8½ per cent. compound" there shall be substituted "the appropriate percentage";

(*b*) paragraph (3A) shall be omitted;

---

(**a**) S.I. 1975/1503 (N.I. 15); by virtue of Article 2(3), definitions in Schedule 17 to the Social Security (Northern Ireland) Act 1975 (c. 15) apply to the exercise of certain powers conferred under this Order; *see also* paragraph 10 of Schedule 3 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9); Article 47(1) was amended by Article 18(7) of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977 (S.I. 1977/610 (N.I. 11)), paragraph 17(1)(*c*) of Schedule 5 to the Social Security (Northern Ireland) Order 1985 (S.I. 1985/1209 (N.I. 16)) and paragraph 7(1)(*h*) of Schedule 2 to the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888 (N.I. 18)); Article 58A was inserted by Schedule 2 to the Social Security (Northern Ireland) Order 1985 and has effect, as modified in relation to personal pension schemes, by virtue of Schedule 2 to the Personal and Occupational Pension Schemes (Modification of Enactments) Regulations (Northern Ireland) 1987 (S.R. 1987 No. 294)

(**b**) S.I. 1986/1888 (N.I. 18); Article 5(5)(*cc*) was inserted by Article 3(2) of the Social Security (Northern Ireland) Order 1993 (S.I. 1993/592 (N.I. 2))

(**c**) S.R. 1985 No. 259; relevant amending provisions are S.R. 1986 No. 342, S.R. 1987 No. 292, S.R. 1988 No. 108 and paragraph 18 of Schedule 6 to the Social Security (Northern Ireland) Order 1989 (S.I. 1989/1342 (N.I. 13))

(*c*) in paragraph (7)—

(i) "Subject to paragraph (7A)," shall be omitted;

(ii) for "8½ per cent. compound" there shall be substituted "the appropriate percentage";

(*d*) paragraph (7A) shall be omitted;

(*e*) after paragraph (7) there shall be added the following paragraph—

"(8) In this regulation "the appropriate percentage" in relation to each period of service in respect of which accrued rights to guaranteed minimum pension have been acquired under, or transferred to, the scheme means—

(*a*) where that period of service terminated before 6th April 1988, 8½ per cent. compound;

(*b*) where that period of service terminated on or after 6th April 1988 but before 6th April 1993, 7½ per cent. compound;

(*c*) where that period of service terminates on or after 6th April 1993, 7 per cent. compound.".

*Amendment of the Personal Pension Schemes (Disclosure of Information) Regulations*

**3.** In Schedule 2 to the Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 1987(**a**) at the end of paragraph 1 (information about contributions to be made available to individuals) there shall be added—

"; and

(*c*) Article 5(1)(*aa*) of that Order(**b**)".

*Amendment of the Personal Pension Schemes (Appropriate Schemes) Regulations*

**4.** The Personal Pension Schemes (Appropriate Schemes) Regulations (Northern Ireland) 1988(**c**) shall be amended in accordance with paragraphs (*a*) and (*b*)—

(*a*) in regulation 17(4) (calculation or estimation of earnings), after "Article 5(1)(*a*)" there shall be inserted "and (*aa*)";

(*b*) after regulation 17 there shall be inserted the following regulation—

*"Calculation of Minimum contributions*

17A. For the purposes of determining whether any minimum contribution which may be payable to or for the benefit of an earner should include an amount calculated under Article 5(1)(*aa*) of the Order, the Department may serve a notice in writing on the earner in question which—

---

(**a**) S.R. 1987 No. 288; relevant amending regulations are S.R. 1988 No. 107 and S.R. 1992 No. 304
(**b**) Article 5(1)(*aa*) was inserted by Article 3(1)(*a*) of the Social Security (Northern Ireland) Order 1993
(**c**) S.R. 1988 No. 34; to which there are amendments not relevant to these regulations