1992 No. 91

ELECTRICITY

Electricity (Eligible Persons) Pensions Regulations (Northern Ireland) 1992

Made	*5th March 1992*
Coming into operation . .	*31st March 1992*

The Department of Economic Development, in exercise of the powers conferred on it by Article 89 of, and paragraphs 2(1) and 8 of Schedule 11 to, the Electricity (Northern Ireland) Order 1992(**a**), and of every other power enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Electricity (Eligible Persons) Pensions Regulations (Northern Ireland) 1992 and shall come into operation on 31st March 1992.

Interpretation

2. In these Regulations—

"the Committee of Management" means the Committee of Management of the scheme;

"relevant scheme" means any arrangement, other than the scheme, under which a person has acquired pension rights the cost of which is or has been borne by Northern Ireland Electricity(**b**);

"retirement benefits scheme" has the same meaning as in section 611 of the Income and Corporation Taxes Act 1988(**c**);

"the Trustees" means the Trustees of the scheme.

3.—(1) These Regulations apply to any person to whom paragraph (2), (3), (4), (5) or (6) applies.

(2) This paragraph applies to any person who—

(*a*) has been a Chairman of Northern Ireland Electricity; and

(*b*) was not entitled to be a member of the scheme; and

(*c*) is entitled to pension rights in accordance with arrangements which are permitted by the Board of Inland Revenue expressed by reference to the scheme but which require modifications to the terms of the scheme to enable them to apply to that person.

(**a**) S.I. 1992/231 (N.I. 1)
(**b**) Formerly the Northern Ireland Electricity Service: *see* S.I. 1987/1275 (N.I. 12) Art. 3(1)
(**c**) 1988 c. 1

(3) This paragraph applies to any dependant of a person to whom paragraph (2) would have applied if that person had not died prior to the coming into operation of these Regulations who qualifies or has qualified for a dependant's pension under the terms of the relevant scheme.

(4) This paragraph applies to—

(*a*) any person who retired on or before 31st March 1973 from the pensionable employment of Belfast Corporation in respect of its function as an electricity undertaker, and who in respect of such employment is in receipt from the Northern Ireland Local Government Officers Superannuation Committee of a pension calculated in accordance with the terms of—

(i) the Belfast Corporation Superannuation Scheme 1964;

(ii) the Local Officers Superannuation Act (Ireland) 1869(**a**); or

(iii) the Belfast Corporation Act (Northern Ireland) 1943(**b**) and the Belfast Corporation (General Powers) Act 1948(**c**); and

(*b*) any dependant of a person to whom sub-paragraph (*a*) would have applied if that person had not died prior to the coming into operation of these Regulations who qualifies or has qualified for a dependant's pension under the terms of the relevant scheme.

(5) This paragraph applies to—

(*a*) any person who retired on or after 1st April 1973, having transferred as at 1st April 1973 to the employment of Northern Ireland Electricity from Belfast Corporation or Londonderry Development Commission, and who is in receipt from Northern Ireland Electricity of a pension calculated in accordance with the terms of—

(i) the Local Officers Superannuation Act (Ireland) 1869; or

(ii) the Belfast Corporation Act (Northern Ireland) 1943 and the Belfast Corporation (General Powers) Act 1948; and

(*b*) any dependant of a person to whom sub-paragraph (*a*) would have applied if that person had not died prior to the coming into operation of these Regulations who qualifies or has qualified for a dependant's pension under the terms of the relevant scheme.

(6) This paragraph applies to—

(*a*) any person who is in receipt from Northern Ireland Electricity of an ex-gratia pension awarded by Northern Ireland Electricity; and

(*b*) any dependant of a person to whom sub-paragraph (*a*) would have applied if that person had not died prior to the coming into operation of these Regulations who qualifies or has qualified for a dependant's pension under the terms of the relevant scheme.

(**a**) 1869 c. 79 as saved by 1950 c. 10 (N.I.) s. 9 and Schedule 3
(**b**) 1943 c. i (N.I.)
(**c**) 1948 c. i (N.I.)