1987 No. 285

SOCIAL SECURITY

The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations (Northern Ireland) 1987

Made	*10th July 1987*
Coming into operation—	
for the purposes of regulations 1 and 2(5)	*27th July 1987*
for all other purposes	*6th April 1988*

The Department of Health and Social Services, in exercise of the powers conferred on it by paragraphs 12(2A) and (2B), 13 and 14 of Schedule 1A to the Social Security Pensions (Northern Ireland) Order 1975(**a**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Occupational Pension Schemes (Transfer Values) (Amendment) Regulations (Northern Ireland) 1987 and shall come into operation—

(*a*) for the purposes of regulations 1 and 2(5), on 27th July 1987;

(*b*) for all other purposes on 6th April 1988.

(2) In these regulations "the principal regulations" means the Occupational Pension Schemes (Transfer Values) Regulations (Northern Ireland) 1985(**b**).

Amendment of the principal regulations

2.—(1) The principal regulations shall be amended in accordance with paragraphs (2) to (5).

(2) In regulation 1(2) (interpretation)—

(*a*) at the beginning there shall be inserted the following definition—

" "actual service" has the meaning given to that expression by paragraph 3(2) of Schedule 3;";

(*b*) after the definition of "member" there shall be inserted the following definitions—

(**a**) S.I. 1975/1503 (N.I. 15); Schedule 1A was inserted by paragraph 3 of Schedule 1 to the Social Security (Northern Ireland) Order 1985 (S.I. 1985/1209 (N.I. 16)); sub-paragraphs (2A) and (2B) of paragraph 12 are inserted, and paragraphs 13 and 14 are amended, by paragraph 24 of Schedule 9 to the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888 (N.I. 18)); paragraphs 13 and 14 are modified, in relation to occupational pension schemes, by regulation 3(4) of, and Schedule 6 to, the Personal and Occupational Pension Schemes (Modification of Enactments) Regulations (Northern Ireland) 1987 (S.R. 1987 No. 294)

(**b**) S.R. 1985 No. 358; the relevant amending regulations are S.R. 1986 Nos. 114 and 362

" "personal pension scheme" has the meaning given to that expression by Article 2(2) of the Social Security (Northern Ireland) Order 1986(**a**);

"protected rights" has the meaning given to that expression by Schedule 1 to the Social Security (Northern Ireland) Order 1986 as modified by Article 34(2B)(**b**);";

(*c*) for the definition of "scheme" there shall be substituted the following definition—

" "scheme", except in the expression "personal pension scheme", means occupational pension scheme;".

(3) In regulation 2(1)—

(*a*) after "paragraph 13(2)(*a*) of Schedule 1A" there shall be inserted "(cash equivalent of member's rights in a scheme to be used for acquiring transfer credits or rights under another scheme or personal pension scheme)";

(*b*) for sub-paragraph (*a*) there shall be substituted the following sub-paragraphs—

"(*a*) if the member's cash equivalent such as is mentioned in paragraph 12(1) of Schedule 1A (or any portion of it to be used under paragraph 13(2)(*a*) of that Schedule) is or includes the cash equivalent of his accrued rights to guaranteed minimum pensions under a scheme, then the scheme or personal pension scheme under whose rules transfer credits or rights are acquired is one to which those accrued rights may be transferred, or to which a transfer payment in respect of those accrued rights may be made, in accordance with regulation 2 or 2B, as the case may be, of the Contracting-out (Transfer) Regulations (Northern Ireland) 1985(**c**), as amended by the Contracting-out (Transfer) (Amendment) Regulations (Northern Ireland) 1987(**d**);

(*aa*) if the member's cash equivalent such as is mentioned in paragraph 12(1) of Schedule 1A (or any portion of it to be used under paragraph 13(2)(*a*) of that Schedule) is or includes the cash equivalent of his protected rights, then the scheme or personal pension scheme under whose rules transfer credits or rights are to be acquired is one to which a transfer payment in respect of protected rights may be made in accordance with regulations 2 and 3 of the Protected Rights (Transfer Payment) Regulations (Northern Ireland) 1987(**e**);"; and

(*c*) in sub-paragraph (*b*)—

(i) after "the scheme from which rights are transferred" there shall be inserted "or from which a transfer payment is made", and

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(**a**) S.I. 1986/1888 (N.I. 18)
(**b**) Article 34(2B) is inserted by paragraph 6(*b*) of Schedule 2 to the Social Security (Northern Ireland) Order 1986
(**c**) S.R. 1985 No. 243; the relevant amending regulations are S.R. 1986 No. 342
(**d**) S.R. 1987 No. 277
(**e**) S.R. 1987 No. 296