1977 No. 249

SOCIAL SECURITY

The Occupational Pension Schemes (Preservation of Benefit) (Amendment) Regulations (Northern Ireland) 1977

Made . . . . . *9th August* 1977

Coming into operation . . *26th September* 1977

The Department of Health and Social Services, in exercise of the powers conferred on it by paragraphs 12(2) and 22 of Schedule 3 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 and commencement

1. These regulations may be cited as the Occupational Pension Schemes (Preservation of Benefit) (Amendment) Regulations (Northern Ireland) 1977, and shall come into operation on 26th September 1977.

Amendment of the Occupational Pension Schemes (Preservation of Benefit) Regulations

2.—(1) Regulation 14 of the Occupational Pension Schemes (Preservation of Benefit) Regulations (Northern Ireland) 1976(**b**) (termination of service) shall be amended as mentioned in paragraphs (2) and (3).

(2) At the end of paragraph (3)(*b*) there shall be added the following—

"or

(iv) an interval of any length if it is between 2 employments the second of which results from the exercise of a right to return to work under Article 28(1) of the Industrial Relations (No. 2) (Northern Ireland) Order 1976(**c**) (right to return to work following pregnancy or confinement).".

(3) For paragraph (5)(*c*) there shall be substituted the following—

"(*c*) the contract is not renewed (or, as the case may be, the service resumed) with the same employer or his successor—

(i) immediately, or

(ii) after an interval not exceeding one month, or

(iii) pursuant to the exercise of a right to return to work under Article 28(1) of the Industrial Relations (No. 2) (Northern Ireland) Order 1976,".

Deductions from short service benefit

3.—(1) Where a scheme provides that in computing the amount of long service benefit payable to a member a deduction shall be made, either on account of benefit payable to that member under the Social Security (Northern Ireland) Act 1975(**d**) or otherwise, any corresponding provision in relation to short service benefit shall be permissible only if the basis on which the amount of the deduction is computed is such as the Board may consider reasonable having regard to all the circumstances of the case.

(**a**) S.I. 1975/1503 (N.I. 15)
(**b**) S.R. 1976 No. 153
(**c**) S.I. 1976/2147 (N.I. 28)
(**d**) 1975 c. 15