
Changes to legislation: *Pensions Act (Northern Ireland) 2015, Cross Heading: The Pensions (Northern Ireland) Order 1995 (NI 22)* is up to date with all changes known to be in force on or before 06 May 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. (See end of Document for details) [View outstanding changes](#)

SCHEDULES

SCHEDULE 13

ABOLITION OF CONTRACTING- OUT FOR SALARY RELATED SCHEMES

PART 2

OTHER STATUTORY PROVISIONS: AMENDMENTS

The Pensions (Northern Ireland) Order 1995 (NI 22)

57 The 1995 Order is amended as follows.

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Commencement Information

II [Sch. 13 para. 57](#) in operation at 6.4.2016, see [s. 53\(1\)\(3\)](#)

58.—(1) Article 51 (annual increase in rate of pension) is amended as follows.

(2) For “the appointed day” (in each place) substitute “ 6 April 1997 ”.

(3) For paragraph (8) substitute—

“(8) An occupational pension scheme is a “relevant occupational pension scheme” if—

(a) it has not, at any time on or after 6 April 1997, been a salary related contracted-out scheme (see section 3B of the Pension Schemes Act), or

(b) it has, at any time on or after 6 April 1997, been a salary related contracted-out scheme but no person is entitled to receive, or has accrued rights to, benefits under the scheme attributable to a period on or after that day when it was such a scheme.”.

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Commencement Information

II [Sch. 13 para. 58](#) in operation at 6.4.2016, see [s. 53\(1\)\(3\)](#)

59 In Article 54 (Articles 51 to 53: supplementary), in paragraph (3), omit the definition of “the appointed day”.

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Commencement Information

I3 Sch. 13 para. 59 in operation at 6.4.2016, see s. 53(1)(3)

60 For Article 69 substitute—

“Grounds for applying for modifications: winding up registered schemes

69.—(1) The Authority may, on an application made to them by the trustees of a registered pension scheme which is being wound up, make an order—

- (a) modifying the scheme for the purpose of enabling assets remaining after the liabilities of the scheme have been fully discharged to be distributed to the employer, or
- (b) authorising the trustees to modify the scheme for that purpose.

(2) But the Authority may act under paragraph (1) only if prescribed requirements in relation to the distribution are satisfied.

(3) Regulations may make provision requiring applications under paragraph (1) to meet prescribed requirements.

(4) Regulations may provide that in prescribed circumstances this Article does not apply to schemes falling within a prescribed class or description or applies to them with prescribed modifications.

(5) In this Article “registered pension scheme” means an occupational pension scheme registered under section 153 of the Finance Act 2004 (other than a public service pension scheme).”

Commencement Information

I4 Sch. 13 para. 60 in operation at 6.4.2016, see s. 53(1)(3)

61 In Article 70 (Article 69: supplementary), omit paragraph (3).

Commencement Information

I5 Sch. 13 para. 61 in operation at 6.4.2016, see s. 53(1)(3)

62 In Article 71 (effect of orders under Article 69), in paragraph (1)—

- (a) for “sub-paragraph (a)” substitute “ sub-paragraph (b) ”;
- (b) for “sub-paragraph (b)” substitute “ sub-paragraph (a) ”.

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Commencement Information

I6 Sch. 13 para. 62 in operation at 6.4.2016, see s. 53(1)(3)

63 In Article 72 (modification of public service pension schemes), in paragraph (1), for “Article 69(1)(b)” substitute “ Article 69(1)(a) ”.

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Commencement Information

I7 Sch. 13 para. 63 in operation at 6.4.2016, see s. 53(1)(3)

64 Articles 133(1), (3) and (5), 134(3) and (4) and 145 (amendments to do with contracting-out) are repealed.

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Commencement Information

I8 Sch. 13 para. 64 in operation at 6.4.2016, see s. 53(1)(3)

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) transitional provisions for effects of commencing S.I. 2017/297, art. 2 by [S.R. 2017/58](#) Order