

2005 No. 124

SOCIAL SECURITY

**The Social Security (Inherited SERPS) (Amendment)
Regulations (Northern Ireland) 2005**

Made - - - - - *16th March 2005*

Coming into operation *6th April 2005*

The Department for Social Development, in exercise of the powers conferred by Articles 49(1) and (2) and 73(4) of the Welfare Reform and Pensions (Northern Ireland) Order 1999(a), and now vested in it(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 Social Security (Inherited SERPS) (Amendment) Regulations (Northern Ireland) 2005 and shall come into operation on 6th April 2005.

Amendment of the Social Security (Inherited SERPS) Regulations

2.—(1) The Social Security (Inherited SERPS) Regulations (Northern Ireland) 2001(c) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 2 (modification of Part II of the Contributions and Benefits Act) after paragraph (3) there shall be added the following paragraph –

“(4) Where, on or after 6th April 2006, a person becomes a person of a description specified in Column 1 of the Schedule and entitled to a widowed person’s lump sum under paragraph 7A of Schedule 5 to the Contributions and Benefits Act(d), paragraph 7B(3) of Schedule 5 to that Act shall have effect so that the half of the additional pension specified in paragraph (b) of the definition of “P” is increased by the percentage specified in Column 2 of the Schedule.”.

(3) In the heading to the Schedule –

- (a) for “Regulation 2(2)” there shall be substituted “Regulation 2(2) and (4)”; and
- (b) after “persons of a specified description” there shall be added “and in the proportion of additional pension used in the calculation of a widowed person’s lump sum payable to such persons”.

(a) S.I. 1999/3147 (N.I. 11); Article 49(2) is amended by paragraph 20 of Schedule 9 to the Pensions (Northern Ireland) Order 2005 (S.I. 2005/255 (N.I. 1))
(b) See Article 8(b) of S.R. 1999 No. 481
(c) S.R. 2001 No. 441
(d) 1992 c. 7; paragraphs 7A and 7B are inserted by paragraph 10(1) of Schedule 9 to the Pensions (Northern Ireland) Order 2005

Sealed with the Official Seal of the Department for Social Development on 16th March 2005.

(L.S.)

John O'Neill

A senior officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision relating to changes to the regime for deferring entitlement to state pension made by the Pensions (Northern Ireland) Order 2005 which provide, in particular, for a choice between increments and a lump sum for those who have deferred entitlement for 12 months or more.

In particular, regulation 2 amends the Social Security (Inherited SERPS) Regulations (Northern Ireland) 2001. This allows for the proportion of the additional pension used in the calculation of the widowed person's lump sum to be increased in line with the provisions set out in those Regulations relating to the calculation of additional pension for widowed persons.

These Regulations do not impose a charge on business.

© Crown Copyright 2005

£3.00

Published by The Stationery Office Limited

ISBN 0-337-95894-7



9 780337 958946