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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 377**

**The Occupational Pension Schemes (Equal Treatment)  
(Amendment) Regulations (Northern Ireland) 2005**

**PART 3**

**EQUAL TREATMENT RULE: ARMED FORCES SCHEMES**

**Operation of the equal treatment rule on armed forces schemes**

**8.** Section 6A of the Equal Pay Act<sup>(1)</sup> (service pay and conditions) shall have effect, in relation to the operation of an equal treatment rule in respect of an armed forces scheme, (see also regulations 10 and 11 which make further modifications to deal with different cases) as if—

- (a) subsections (1) and (2) were omitted;
- (b) for subsections (3) and (4) there were substituted the following subsections—
  - “(3) Any claim in respect of the contravention, in respect of a woman, of a term of an armed forces scheme which—
    - (a) relates to the terms on which—
      - (i) persons become members of the scheme, or
      - (ii) members of the scheme are treated, and
    - (b) is modified or included by an equal treatment rule,may be presented by way of a complaint to an industrial tribunal under this section (and may not be presented by way of a complaint to an industrial tribunal under section 2).
  - (4) Subsections (5) to (10) apply in relation to any claim by a woman (“the claimant”) arising from a contravention of a term of a scheme referred to in subsection (3).”;
- (c) for subsection (10) there were substituted the following subsection—
  - “(10) Section 2A shall apply in relation to a complaint in respect of the claim as it applies to a complaint presented to an industrial tribunal under section 2(1), but with the substitution for any reference to section 1(2)(c) of a reference to Article 62(3)(c) of the Pensions (Northern Ireland) Order 1995 (the equal treatment rule).”;
- (d) in subsection (12), after the definition of “armed forces”, there were inserted the following definition—
  - ““armed forces scheme” has the same meaning as in the Occupational Pension Schemes (Equal Treatment) (Amendment) Regulations (Northern Ireland) 2005;”,
  - and
- (e) after subsection (13) there were added the following subsection—

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(1) Section 6A was inserted by section 25(2) of the Armed Forces Act 1996 (c. 46) and amended by regulation 6 of S.R. 2004 No. 171

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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“(14) In the application of this section and sections 6AA and 6AB(2) to any claim in respect of the contravention of a term of an armed forces scheme, expressions used in any of those sections and in the Pensions (Northern Ireland) Order 1995 have the same meaning as in that Order.”.