

**2012 No. 115 (C. 11)**

**PENSIONS**

**The Pensions (2008 Act) (Commencement No. 3) Order  
(Northern Ireland) 2012**

*Made* - - - -

*14th March 2012*

The Department for Social Development makes the following Order in exercise of the powers conferred by section 21(1) of the Pensions Act (Northern Ireland) 2008(a).

**Citation and interpretation**

1.—(1) This Order may be cited as the Pensions (2008 Act) (Commencement No. 3) Order (Northern Ireland) 2012.

(2) In this Order “the Act” means the Pensions Act (Northern Ireland) 2008.

**Appointed days**

2.—(1) The day appointed for the coming into operation of—

- (a) section 13(1) of the Act (abolition of contracting-out for defined contribution pension schemes);
- (b) in Part 2 of Schedule 4 to the Act (abolition of contracting-out for defined contribution pension schemes: further amendments)—
  - (i) paragraph 45 in so far as it relates to the provisions listed in sub-paragraphs (ii) to (v) of this paragraph;
  - (ii) paragraph 58(1) in so far as it relates to paragraph 58(2) and (4);
  - (iii) paragraph 58(2) and (4);
  - (iv) paragraph 59(1) in so far as it relates to paragraph 59(2) and (3), and
  - (v) paragraph 59(2) and (3), and
- (c) Part 7 of Schedule 6 to the Act (abolition of contracting-out for defined contribution pension schemes: further repeals) in so far as it relates to the repeal of the specified provisions contained within paragraph 2 of Schedule 3 to the Pension Schemes (Northern Ireland) Act 1993(b), except for the definition of “appropriate flat-rate percentage” in sub-paragraph (5),

is 6th April 2012.

(2) The day appointed for the coming into operation of—

- (a) in Part 2 of Schedule 4 to the Act—
  - (i) paragraph 41(1) in so far as it relates to paragraph 41(2) and (3)(b);

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(a) 2008 c. 1 (N.I.)  
(b) 1993 c. 49

- (ii) paragraph 41(2) and (3)(b);
  - (iii) paragraph 45 in so far as it relates to the provisions listed in sub-paragraphs (iv) and (v) of this paragraph;
  - (iv) paragraphs 46, 48 and 53, and
  - (v) paragraph 58 in so far as it is not already in operation, and
- (b) Part 7 of Schedule 6 to the Act in so far as it relates to the repeal of the following provisions—
- (i) section 4C(2)(d) and (5)(g) and (h) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a);
  - (ii) sections 4(3), 27 and 41B of the Pension Schemes (Northern Ireland) Act 1993;
  - (iii) paragraph 29 of Schedule 3 to the Pensions (Northern Ireland) Order 1995(b), and
  - (iv) paragraphs 37(b), 46 and 58 of Schedule 1 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999(c),

is 6th April 2015.

Sealed with the Official Seal of the Department for Social Development on 14th March 2012

(L.S.)

*Anne McCleary*  
A senior officer of the Department for Social Development

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(a) 1992 c. 7  
(b) S.I. 1995/3213 (N.I. 22)  
(c) S.I. 1999/671

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into operation section 13(1) of the Pensions Act (Northern Ireland) 2008 (“the Act”) on 6th April 2012, defined as the “abolition date” by section 13(2) of the Act. Section 13(1) abolishes contracting-out of the state additional pension for defined contribution pension schemes. Part 1 of Schedule 4 to the Act will also have effect from 6th April 2012 by virtue of section 13(4).

The Order also brings into operation certain consequential amendments contained within Part 2 of Schedule 4, and certain repeals contained within Part 7 of Schedule 6, to the Act on 6th April 2012 and 6th April 2015.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Pensions Act (Northern Ireland) 2008 have been brought into operation by earlier commencement orders as from the dates shown.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Section 12 (partially)	3rd March 2009	2009 No. 75 (C. 4)
(partially)	6th April 2009	2009 No. 75 (C. 4)
Section 15	29th February 2008	2008 No. 65 (C. 1)
Schedule 5	29th February 2008	2008 No. 65 (C. 1)
Schedule 6 (partially)	29th February 2008	2008 No. 65 (C. 1)

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