
STATUTORY INSTRUMENTS

2023 No. 1312

**The Pensions (Pension Protection Fund
Compensation) (Northern Ireland) Regulations 2023**

Amendment of Schedule 6 to the Pensions (Northern Ireland) Order 2005

3.—(1) Schedule 6 to the Pensions (Northern Ireland) Order 2005 (pension compensation provisions) is amended as follows.

(2) In paragraph 3(10)—

(a) before head (a) insert—

“(za) paragraph 22A (calculation of compensation on and after 1st January 2024),”;

(b) omit head (a) (but not the “and” at the end).

(3) In paragraph 5(8) before head (a) insert—

“(za) paragraph 22A (calculation of compensation on and after 1st January 2024),”.

(4) For paragraph 7(6) substitute—

“(6) This paragraph is subject to—

(a) paragraph 22A (calculation of compensation on and after 1st January 2024), and

(b) paragraph 30 (power of Department to change percentage rates by order).”.

(5) In paragraph 8(8) after head (a) insert—

“(aa) paragraph 22A (calculation of compensation on and after 1st January 2024),”.

(6) In paragraph 10(8)—

(a) at the end of head (a) omit the “and”;

(b) after head (a) insert—

“(aa) paragraph 22A (calculation of compensation on and after 1st January 2024), and”.

(7) In paragraph 11(8)(1)—

(a) after head (a) insert—

“(aa) paragraph 22A (calculation of compensation on and after 1st January 2024),”;

(b) omit head (c) (but not the “and” at the end).

(8) In paragraph 14(9)(2)—

(a) after head (a) insert—

“(aza) paragraph 22A (calculation of compensation on and after 1st January 2024),”;

(b) omit head (b) (but not the “and” at the end).

(9) In paragraph 15(6)(3)—

(1) Paragraph 11(8) was amended by paragraph 4 of Schedule 6 to the Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13 (N.I.)).
(2) Paragraph 14(9) was amended by paragraph 6 of Schedule 6 to the Pensions (No. 2) Act (Northern Ireland) 2008.
(3) Paragraph 15(6) was amended by paragraph 7 of Schedule 6 to the Pensions (No. 2) Act (Northern Ireland) 2008.

- (a) before head (a) insert—
 - “(za) paragraph 22A (calculation of compensation on and after 1st January 2024),”;
- (b) omit head (b) (but not the “and” at the end).
- (10) In paragraph 19(8)(4)—
 - (a) before head (za) insert—
 - “(zza) paragraph 22A (calculation of compensation on and after 1st January 2024),”;
 - (b) omit head (a) (but not the “and” at the end).
- (11) For paragraph 20(6) substitute—
 - “(6) This paragraph is subject to—
 - (a) paragraph 22A (calculation of compensation on and after 1st January 2024), and
 - (b) paragraph 30 (power of Department to change percentage rates by order).”.
- (12) For paragraph 22(4) substitute—
 - “(4) This paragraph is subject to—
 - (a) paragraph 22A (calculation of compensation on and after 1st January 2024), and
 - (b) paragraph 30 (power of Department to change percentage rates by order).”.
- (13) After paragraph 22 insert—

“Calculation of compensation on and after 1st January 2024

22A.—(1) This paragraph applies where—

- (a) the assessment date falls on or after 1st January 2024, and
 - (b) there is a person (“P”) who, at the beginning of the assessment period in question, is or may become entitled to payment of compensation in accordance with paragraph 3, 5, 7, 8, 10, 11, 14, 15, 19, 20 or 22 in respect of the scheme.
- (2) Sub-paragraph (3) applies where, but for that sub-paragraph, the value as at the beginning of the assessment period of P’s compensation would be less than 50% of the benefits value.
- (3) Where this sub-paragraph applies, the amounts of P’s compensation are to be adjusted in accordance with guidance issued by the Board so as to secure that the value as at the beginning of the assessment period of that compensation is increased to an amount equal to 50% of the benefits value.
- (4) In this paragraph—
 - “P’s compensation” means the compensation which is or may become payable to or in respect of P in accordance with the relevant compensation provisions in respect of the scheme;
 - “the benefits value” means the value of the benefits which have accrued to or in respect of P under the admissible rules of the scheme immediately before the assessment date;
 - “the relevant compensation provisions” means any of paragraphs 3 to 20, 22 and 23.
- (5) The following are to be determined in accordance with guidance issued by the Board—
 - (a) the value of P’s compensation;
 - (b) the benefits value.
- (6) In this paragraph—
 - (a) a reference to benefits which have accrued to or in respect of a person under the admissible rules of the scheme does not include a reference to such of those benefits as are attributable (directly or indirectly) to a pension credit;

(4) Paragraph 19(8) was amended by paragraph 9 of Schedule 6 to the Pensions (No. 2) Act (Northern Ireland) 2008.

- (b) a reference to compensation which is or may become payable to or in respect of a person in accordance with a provision of this Schedule does not include a reference to so much of that compensation as is attributable (directly or indirectly) to a pension credit.”
- (14) In paragraph 24, omit sub-paragraph (3).
- (15) Omit paragraphs 26, 26A and 27(5).
- (16) In paragraph 28, omit sub-paragraph (4).

(5) There have been amendments to paragraphs 26 and 27; paragraph 26A was inserted by paragraph 3 of Schedule 20 to the Pensions Act (Northern Ireland) 2015 (c. 5 (N.I.)).