

## SCHEDULES

### SCHEDULE 7

#### ADDITIONAL PENSION: CONSEQUENTIAL AMENDMENTS

*The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)*

1. The Contributions and Benefits Act is amended as follows.
2. In section 22 (earnings factors), after subsection (8) add—

“(9) References in this Act or any other statutory provision to earnings factors derived from so much of a person’s earnings as do not exceed the upper accrual point or the upper earnings limit are to be read, in relation to earners paid otherwise than weekly, as references to earnings factors derived from so much of those earnings as do not exceed the prescribed equivalent.”.
- 3.—(1) Section 23 is amended as follows.
  - (2) In subsection (3)(a), for “subsection” substitute “subsections (3A) and”.
  - (3) After subsection (3) insert—

“(3A) For the purposes specified in section 22(2)(b) (additional pension), subsection (3)(a) has effect in relation to 2009–10 and subsequent tax years as if the reference to the upper earnings limit were to the upper accrual point.”.
- 4.—(1) Section 44A (deemed earnings factors) is amended as follows.
  - (2) In subsection (1)(a), for “the upper earnings limit” substitute “the applicable limit”.
  - (3) After subsection (5) insert—

“(5A) In subsection (1)(a) “the applicable limit” has the same meaning as in section 44.”.
5. In section 44B(2)(a) (deemed earnings factors: 2010–11 onwards), for “the applicable limit” substitute “the upper accrual point”.
- 6.—(1) Paragraph 1 of Schedule 1 (Class 1 contributions where earner employed in more than one employment) is amended as follows.
  - (2) In sub-paragraph (3) (as it has effect without the amendments made by paragraph 44(2) of Schedule 4 to the Pensions Act (Northern Ireland) 2008 (c. 1))—

- (a) in paragraph (b), for “the current upper earnings limit” (in both places) substitute “the upper accrual point”,
  - (b) after that paragraph insert—
    - “(ba) if paragraph (b) applies, the amount obtained by applying the main primary percentage referred to in paragraph (d) to such part of the aggregated earnings attributable to COMPS service as, when added to the APPS earnings (if any), exceeds the upper accrual point and does not exceed the current upper earnings limit,”
  - (c) in paragraph (c), for “the current upper earnings limit” (in both places) substitute “the upper accrual point”, and
  - (d) after that paragraph insert—
    - “(ca) if paragraph (c) applies, the amount obtained by applying the main primary percentage referred to in paragraph (d) to such part of the aggregated earnings attributable to COSRS service as, when added to the APPS earnings or the part attributable to COMPS service (or both), exceeds the upper accrual point and does not exceed the current upper earnings limit,”.
- (3) In sub-paragraph (3) (as amended by sub-paragraph (2) and by paragraph 44(2) of Schedule 4 to the Pensions Act (Northern Ireland) 2008 (c. 1))—
- (a) omit paragraph (ba),
  - (b) in paragraph (c)—
    - (i) omit “if some of the aggregated earnings are attributable to COSRS service,”, and
    - (ii) for “the current upper earnings limit” substitute “the upper accrual point”, and
  - (c) in paragraph (ca), omit—
    - (i) “if paragraph (c) applies,”, and
    - (ii) “, when added to the APPS earnings or the part attributable to COMPS service (or both),”.
- (4) After sub-paragraph (10) add—
- “(11) In relation to such earnings, any reference in this paragraph to the upper accrual point is to be read as a reference to the prescribed equivalent (see section 121(6A)).”.
- (5) The amendments made by sub-paragraphs (2) and (4) have effect in relation to 2009–10 and subsequent tax years.