
Changes to legislation: Pensions Act (Northern Ireland) 2015, Cross Heading: Step 2: calculation of a pension based on the new system is up to date with all changes known to be in force on or before 16 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 1

TRANSITIONAL RATE OF STATE PENSION: CALCULATING THE AMOUNT

PART 2

AMOUNT FOR PRE-COMMENCEMENT QUALIFYING YEARS

Step 2: calculation of a pension based on the new system

4.—(1) For the purposes of Step 2 of the calculation in paragraph 2, the weekly rate based on the new state pension is as follows.

(2) If the person has 35 or more pre-commencement qualifying years, the rate is equal to—

- (a) the full rate of the state pension on 6 April 2016, less
- (b) any amount to reflect contracting out under the old system (see paragraph 5).

(3) If the person has fewer than 35 pre-commencement qualifying years, the rate is equal to—

- (a) the appropriate proportion of the full rate of the state pension on 6 April 2016, less
- (b) any amount to reflect contracting out under the old system (see paragraph 5).

(4) The “appropriate proportion”, in relation to a person, is—

$\frac{1}{35} \times$ the person's number of pre-commencement qualifying years

Commencement Information

II Sch. 1 para. 4 in operation at 6.4.2016, see s. 53(1)(3)

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5.—(1) In paragraph 4(2) and (3) references to an “amount to reflect contracting out under the old system” are to an amount equal to any difference between—

- (a) the amount of any additional pension included in the Category A retirement pension calculated for the purposes of Step 1 of the calculation in paragraph 2, and
- (b) the amount of any additional pension that would have been included if—
 - (i) sections 42 and 44A of the Pension Schemes Act were ignored, and
 - (ii) for the purposes of calculating the amounts referred to in section 45(2)(c) and (d) of the Contributions and Benefits Act any earnings paid to or for the benefit of the person in respect of contracted-out employment were treated as if they were not in respect of contracted-out employment.

(2) “Contracted-out employment” means employment qualifying a person for a pension provided by a salary related contracted-out scheme, a money purchase contracted-out scheme or an appropriate personal pension scheme (and expressions used in this definition have the same meaning as in the Pension Schemes Act).

Commencement Information

I2 Sch. 1 para. 5 in operation at 6.4.2016, see s. 53(1)(3)

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Changes and effects yet to be applied to :

- specified provision(s) transitional provisions for effects of commencing S.I. 2017/297, art. 2 by [S.R. 2017/58](#) Order