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STATUTORY INSTRUMENTS

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**1995 No. 3213**

**The Pensions (Northern Ireland) Order 1995**

**PART IV**

**CERTIFICATION OF PENSION SCHEMES AND EFFECTS  
ON MEMBERS' STATE SCHEME RIGHTS AND DUTIES**

*Protected rights*

**Interim arrangements for giving effect to protected rights**

**139.**—(1) Section 24 of the Pension Schemes Act (ways of giving effect to protected rights) is amended as follows.

(2) In subsection (1), after paragraph (a) insert—

“(aa) in any case where subsection (1A) so requires, by the making of such payments as are mentioned in that subsection.”.

(3) After that subsection insert—

“(1A) In the case of a personal pension scheme, where the member so elects, effect shall be given to his protected rights—

(a) during the interim period, by the making of payments under an interim arrangement which—

(i) complies with section 24A,

(ii) satisfies such conditions as may be prescribed, and

(b) at the end of the interim period in such of the ways permitted by the following subsections as the rules of the scheme may specify.”.

(4) In subsection (3)—

(a) in paragraph (b), after “the member” insert “or, where section 24A(2) applies, the member’s widow or widower”, and

(b) in the words following that paragraph, after “subsection” insert “(1A)(a) or”.

(5) In subsection (4)(a), for the words from “65” to the end substitute—

“65 or such later date as has been agreed by him, or

(ii) in the case of a personal pension scheme, where the member has elected to receive payments under an interim arrangement, the date by reference to which the member elects to terminate that arrangement, and otherwise such date as has been agreed by him and is not earlier than his 60th birthday nor later than his 75th birthday.”

(6) In subsection (5), after “subsection” insert “(1A)”.

(7) After subsection (7) add—

“(8) In this section and sections 24A, 24B and 25—

“the interim period” means the period beginning with (and including) the starting date in relation to the member in question and ending with the termination date;

“the starting date” means the date, which must not be earlier than the member’s 60th birthday, by reference to which the member elects to begin to receive payments under the interim arrangement;”

“the termination date” means the date by reference to which the member (or, where section 24A(2) applies, the member’s widow or widower) elects to terminate the interim arrangement, and that date must be not later than—

- (a) the member’s 75th birthday, or
- (b) where section 24A(2) applies, the earlier of the member’s widow or widower’s 75th birthday and the 75th anniversary of the member’s birth.”