
STATUTORY INSTRUMENTS

1999 No. 3147

**The Welfare Reform and Pensions
(Northern Ireland) Order 1999**

PART V

PENSION SHARING

CHAPTER I

SHARING OF RIGHTS UNDER PENSION ARRANGEMENTS

Pension debits

Effect on contracted-out rights

29.—(1) The Pension Schemes Act shall be amended as follows.

^{F1}(2)

(3) After section 11 there shall be inserted—

“Reduction of guaranteed minimum in consequence of pension debit.

11A.—(1) Where—

- (a) an earner has a guaranteed minimum in relation to the pension provided by a scheme, and
- (b) his right to the pension becomes subject to a pension debit,

his guaranteed minimum in relation to the scheme is, subject to subsection (2), reduced by the appropriate percentage.

(2) Where the earner is in pensionable service under the scheme on the day on which the order or provision on which the pension debit depends takes effect, his guaranteed minimum in relation to the scheme is reduced by an amount equal to the appropriate percentage of the corresponding qualifying benefit.

(3) For the purposes of subsection (2), the corresponding qualifying benefit is the guaranteed minimum taken for the purpose of calculating the cash equivalent by reference to which the amount of the pension debit is determined.

(4) For the purposes of this section, the appropriate percentage is—

- (a) if the order or provision on which the pension debit depends specifies the percentage value to be transferred, that percentage;
- (b) if the order or provision on which the pension debit depends specifies an amount to be transferred, the percentage which the appropriate amount for the purposes of paragraph (1) of Article 26 of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (lesser of specified amount and cash equivalent of transferor's

benefits) represents of the amount mentioned in paragraph (3)(b) of that Article (cash equivalent of transferor's benefits).”.

(4) In section 43 (entitlement to guaranteed minimum pensions for the purposes of the relationship with social security benefits), at the end there shall be added—

“(6) For the purposes of section 42, a person shall be treated as entitled to any guaranteed minimum pension to which he would have been entitled but for any reduction under section 11A.”.

(5) In section 176(1), there shall be inserted at the appropriate place—

““ pension debit ” means a debit under Article 26(1)(a) of the Welfare Reform and Pensions (Northern Ireland) Order 1999;”.

F1 [Art. 29\(2\)](#) repealed (6.4.2012) by [Pensions \(No. 2\) Act \(Northern Ireland\) 2008 \(c. 13\)](#), s. 118(1), [Sch. 10 Pt. 3](#); S.R. 2012/119, art. 2(c)

Changes to legislation:

There are currently no known outstanding effects for the The Welfare Reform and Pensions (Northern Ireland) Order 1999, Section 29.