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STATUTORY INSTRUMENTS

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**1999 No. 3147**

The Welfare Reform and Pensions  
(Northern Ireland) Order 1999

PART V

PENSION SHARING

CHAPTER I

SHARING OF RIGHTS UNDER PENSION ARRANGEMENTS

*Indexation*

**Other pension schemes**

37.—(1) The Department may by regulations make provision for a pension to which paragraph (2) applies to be increased, as a minimum, by reference to increases in the retail prices index, so far as not exceeding 5 per cent. per annum.

(2) This paragraph applies to—

- (a) a pension provided to give effect to eligible pension credit rights of a member under a qualifying occupational pension scheme, and
- (b) a pension provided to give effect to safeguarded rights of a member under a personal pension scheme.

(3) In this Article—

“eligible”, in relation to pension credit rights, means of a description prescribed by regulations made by the Department;

“pension credit rights”, in relation to an occupational pension scheme, means rights to future benefits under the scheme which are attributable (directly or indirectly) to a credit under Article 26(1)(b) or under section 29(1)(b) of the Welfare Reform Act;

“qualifying occupational pension scheme” means an occupational pension scheme which is not a public service pension scheme;

“safeguarded rights” has the meaning given in section 64A of the Pension Schemes Act (which is inserted by Article 33).