
STATUTORY INSTRUMENTS

2005 No. 255 (N.I. 1)

NORTHERN IRELAND

The Pensions (Northern Ireland) Order 2005

Made - - - - 9th February 2005

Laid - - - - 21st February 2005

Coming into operation in accordance with Article 1

THE PENSIONS (NORTHERN IRELAND) ORDER 2005

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 2. For the heading, substitute “PENSION INCREASE OR LUMP SUM WHERE...
 3. Before paragraph 1 insert— Choice between increase of pension and...
 4. For paragraph 1 (increase of pension where pensioner's entitlement is...
 5. (1) In paragraph 2 (calculation of increment), in sub-paragraph (5)(b),...
 6. After paragraph 2 insert— (1) This paragraph applies where— (a) a person's entitlement to...
 7. (1) After paragraph 3 insert— Lump sum where pensioner's entitlement...
 8. After paragraph 3B (inserted by paragraph 7) insert— Choice between...
 9. (1) Paragraph 4 (increase of pension where pensioner's deceased spouse...
 10. (1) After paragraph 7 insert— Entitlement to lump sum where...
 11. After paragraph 7B (inserted by paragraph 10) insert— Supplementary (1) Any lump sum calculated under paragraph 3B or 7B...
 12. For the heading immediately preceding paragraph 8 substitute “Married couples”...
 13. In paragraph 8 (married couples)— (a) in sub-paragraph (3) for...
 14. After Schedule 5 to the Contributions and Benefits Act insert—...
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 17. In section 121(1) (interpretation of Parts I to VI)—
 18. ***The 1999 Order***
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20. In Article 49(2) (power to make regulations preserving rights in...
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4. ***The Social Security Administration (Northern Ireland) Act 1992 (c. 8)***
5. ***The Pension Schemes Act***
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7. (1) Section 52 (provision supplementary to section 51) is amended...
8. In section 57 (deduction of contributions equivalent premium from refund...
9. (1) Section 90 (right to cash equivalent) is amended as...
10. In section 95 (trustees' duties after exercise of option)—
11. In section 97J (time for compliance with transfer notice)—
12. In section 107A (monitoring of employers' payments to personal pension...
13. In section 109 (disclosure of information about schemes to members...
14. After that section insert— Disclosure of information about transfers etc....
15. In section 119 (interpretation of Chapter 2 of Part VII)...
16. In section 120 (duty of Department for Employment and Learning...
17. In section 125(1) (overriding requirements)— (a) for “and IV” substitute...
18. In section 126(b), (extra-statutory requirements), for “or IV” substitute “,...
19. In section 142 (functions of the Pensions Ombudsman)—
20. In section 145 (procedure on investigation by Pensions Ombudsman), in...
21. (1) Section 154A (other disclosures by the Department) is amended...
22. In section 164(4) (penalties for contravention of regulations) after “the...
23. In section 170 (levies)— (a) for subsection (8) substitute—
24. In section 173 (power to make regulations as to the...
25. (1) Section 174 (linked qualifying service) is amended as follows...
26. In section 176(1) (general interpretation), in the definition of “transfer...
27. In section 178(3) (sub-delegation), after “93(1)” insert “, 97AF(1)”.
28. ***The 1995 Order***
29. In Article 4 (suspension orders), in paragraphs (3) and (5)...
30. In Article 7 (appointment of trustees)— (a) in paragraph (1)...
31. In Article 9 (removal and appointment of trustees: property), after...
32. In Article 10 (civil penalties), in paragraph (5)(a) omit “as...
33. In Article 15(4) (failure to comply with Authority's direction) for...
34. In Article 22 (circumstances in which independent trustee provisions apply),...
35. In Article 25 (appointment and powers of independent trustees: further...
36. In Article 26 (insolvency practitioner or official receiver to give...
37. Omit Articles 26A to 26C.
38. In Article 28 (consequences of prohibition on trustee being auditor...
39. In Article 29 (persons disqualified for being trustees), in paragraph...
40. In Article 30 (persons disqualified: consequences)— (a) in paragraph (2),...
41. Omit Article 30A (accessibility of register of disqualified trustees).
42. In Article 32 (decisions of trustees by a majority)—
43. In Article 34 (powers of investment and delegation) in paragraph...

44. (1) Article 38 (power to defer winding up) is amended...
45. In Article 40 (restriction on employer-related investments), in paragraph (4)...
46. In Article 41 (provision of documents for members)—
47. In Article 47 (professional advisers), in paragraphs (3), (8) and...
48. In Article 49 (other responsibilities of trustees, employers, etc.)—
49. In Article 49A (record of winding up decisions) omit paragraph...
50. In Article 68 (power of trustees to modify schemes by...
51. In Article 69 (grounds for applying for modifications)—
52. In Article 71A(4)(d) (power to make provision in relation to...
53. In Article 72A (reports to Authority about winding up) omit...
54. In Article 72C (duty to comply with directions for facilitating...
55. In Article 73 (preferential liabilities on winding up), in paragraph...
56. In Article 76 (excess assets on winding up)—
57. In Article 77 (excess assets remaining after winding up: power...
58. In Article 85 (schedules of payments to money purchase schemes)...
59. In Article 86 (provision supplementary to Article 85) omit paragraph...
60. In Article 87 (application of further provisions to money purchase...
61. In Article 115 (powers to modify Part II of the...
62. In Article 116 (calculations, etc. under regulations: sub-delegation), for “73(3)”...
63. (1) Article 121 (interpretation of Part II) is amended as...
64. ***The Deregulation and Contracting Out (Northern Ireland) Order 1996 (NI 11)***
65. ***The 1999 Order***
66. In Article 3 (stakeholder pension schemes), in paragraph (6), after...
67. In Article 4 (registration of stakeholder pension schemes)—
68. In Article 9(2)(a) (providing for stakeholder pension schemes to be...
69. In Article 35 (treatment in winding up)—
70. (1) Paragraph 1 of Schedule 1 (application of statutory provisions...
71. (1) Schedule 5 (pension credits: mode of discharge) is amended...

SCHEDULE 11 — REPEALS

Explanatory Note