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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 493**

**The Occupational Pension Schemes (Contracting-out) Regulations (Northern Ireland) 1996**

**Part VIII**

**Transitional Arrangements and Savings**

**Transitional arrangements for schemes contracted out under section 5(2) of the Act to become contracted out under section 5(3) of the Act**

77.—(1) This regulation applies where a scheme, which is a salary related contracted-out scheme immediately before the principal appointed day, satisfies the requirements of section 5(3) of the Act in respect of all earners' service on or immediately after that day.

(2) The circumstances referred to in paragraph (1) shall, for the purposes of section 8(3) of the Act (determination of basis on which a scheme is contracted out) be circumstances in which a scheme which has been contracted out by virtue of section 5(2) of the Act may become contracted out by virtue of section 5(3) of the Act.

(3) Where this regulation applies, sections 46, 48 and 49 of the Act shall be modified so as to have effect as if the guaranteed minimum pensions provided by the scheme were provided by a separate scheme which has ceased to be certified as a contracted-out scheme.

(4) Where this regulation applies, a contracting-out certificate issued before the principal appointed day shall be cancelled at the end of the period beginning with that day and ending on either—

(a) whichever is the earlier of—

(i) the day before the effective date of the replacement contracting-out certificate issued by the Department;

(ii) 31st January 1998, or

(b) such later date as the Department may in its discretion permit in any particular case,

but shall continue to have effect during that period if it is not otherwise cancelled or surrendered and the scheme satisfies the conditions of section 5(3) of the Act.