
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 618

The Contracting-out (Transfer and Transfer Payment) Regulations (Northern Ireland) 1996

Part II

Transfers of, and Transfer Payments in respect of, Guaranteed Minimum Pensions

Transfers of guaranteed minimum pensions to salary related contracted-out schemes

3. A transfer may be made to a salary related contracted-out scheme if—
- (a) the earner or person concerned consents in writing;
 - (b) in the case of a transfer of the accrued rights of an earner—
 - (i) the earner is employed by an employer who is a contributor to the receiving scheme,
or
 - (ii) the earner has previously been a member of the receiving scheme;
 - (c) in the case of a transfer of the accrued rights of an earner who is not in employment which is contracted-out by reference to the receiving scheme, the conditions specified in paragraphs 1 to 4 of Schedule 1 are satisfied, unless the transfer is from an appropriate policy in which case the condition set out in paragraph 5 of Schedule 1 must be satisfied;
 - (d) in the case of a transfer of the accrued rights of an earner from an appropriate policy, the receiving scheme does not make provision under section 12(2) and (3)(1) (revaluation of earnings factors for purposes of section 10: early leavers, etc.), or any analogous provision, in relation to the rights transferred where the effect would be to increase them at a different rate from that at which they would have been increased had the transfer not taken place, and
 - (e) in the case of a transfer of liability for the payment of guaranteed minimum pensions to, or in respect of, a person who has become entitled to them, the transfer is from a scheme and the conditions set out in paragraph 6 of Schedule 1 are satisfied.