

SCHEDULE 5

Regulation 3(2)

Further amendments to the 1996 Regulations

1. In regulation 2(1) after the words “Income and Corporation Taxes Act 1988,” there shall be inserted the words “references to the 1999 Order are references to the Welfare Reform and Pensions (Northern Ireland) Order 1999”.

2. In regulation 2(1) there shall be inserted in the appropriate places in alphabetical order the following definitions —

“the AVC Scheme” means the Scheme established under these Regulations;

“pension credit” means a credit under Article 26(1)(b) of the 1999 Order or section 29(1)(b) of the Welfare Reform and Pensions Act 1999;

“pension credit benefits” means in relation to the AVC Scheme the benefits payable under that Scheme which are attributable (directly or indirectly) to a pension credit;

“pension credit member” means a person who has rights under the AVC scheme which are attributable (directly or indirectly) to a pension credit either solely or wholly separately from any other rights under the AVC Scheme;

“pension debit” means a debit under Article 26(1)(a) of the 1999 Order or section 29(1)(a) of the Welfare Reform and Pensions Act 1999;

“pension debit member” means a person who has rights under the AVC Scheme, whose shareable rights under that Scheme are subject to a pension debit;

“pension sharing order” means a pension sharing order or other provision referred to in Article 25(1) of the 1999 Order or section 28(1) of the Welfare Reform and Pensions Act 1999;

“shareable rights” means any rights under the AVC Scheme except those rights referred to in regulation 2 of the Pension Sharing (Valuation) (Northern Ireland) Regulations 2000(1).

3. At the end of regulation 11 there shall be inserted the following paragraph—

“(3) The Department may pay a transfer value representing the value of a person’s pension credit or of investments made under regulation 13A(2) in the circumstances of Chapter II of Part IVA of the Pension Schemes (Northern Ireland) Act 1993(2) and regulations made under that Chapter(3).”.

4. In regulation 12(11) the words “arising from the participator’s service” shall be deleted.

(1) [S.R. 2000 No. 144](#). See Welfare Reform in Pensions (Northern Ireland) Order 1999 Article 24(2)

(2) [1993 c. 48](#); Part IVA was inserted by Article 34 of the Welfare Reform and Pensions (Northern Ireland) Order 1999

(3) See Part III of the Pension Sharing (Pension Credit Benefit) Regulations (Northern Ireland) 2000 [S.R. 2000 No. 146](#)