

SCHEDULE 5

TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS

2.—(1) The substitution of the 2009 provisions for the former provisions does not affect the continuity of the law.

(2) Anything done or having effect as if done under or for the purposes of any of the former provisions has effect, if it could have been done under or for the purposes of the corresponding provision of the 2009 provisions, as if done also under or for the purposes of that corresponding provision.

(3) Any reference, whether express or implied, in the 2009 provisions or any other instrument or document to a provision of the 2009 provisions shall, so far as the context permits, be construed as including, in relation to the times, circumstances and purposes in relation to which the corresponding provision of the former provisions has effect, a reference to that corresponding provision.

(4) Any reference, whether express or implied, in any provision of the former provisions or in any other instrument or document to a provision of the former provisions shall be construed, so far as is required for continuing its effect, as including a reference to the corresponding provision of the 2009 provisions.

(5) Any document made, served or issued after the 2009 provisions come into operation in relation to any person which contains a reference to any of the former provisions shall be construed, except so far as a contrary intention appears, as referring or, as the context may require, including a reference to the corresponding provision of the 2009 provisions.

(6) Where any provision of the former provisions (“the re-enacting provision”) re-enacted, with or without modification, a previous provision revoked by the 2002 Regulations or any other former provision, then, so far as is necessary to prevent the continuity of the law from being affected, any reference in the 2009 provisions or in any other instrument or document to the re-enacting provision shall, so far as the context permits, be construed as including a reference to that previous provision.

(7) Where by virtue of paragraph 2(6) of Schedule 5 to the Local Government Pension Scheme (Amendment No. 2 and Transitional Provisions) Regulations (Northern Ireland) 2002(1) any reference to such a previous provision includes a reference to an earlier provision, sub-paragraph (6) applies so as to include a reference to that earlier provision too.