
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 158

The Pensions (2015 Act) (Abolition of Contracting-out for Salary Related Pension Schemes) (Consequential Amendments and Savings) Order (Northern Ireland) 2016

PART 3

Amendments coming into operation on 6th April 2017

Amendment of the Occupational Pension Schemes (Transfer Values) Regulations

27.—(1) The Occupational Pension Schemes (Transfer Values) Regulations (Northern Ireland) 1996⁽¹⁾ are amended in accordance with paragraph (2).

(2) In regulation 13—

(a) the provisions of the regulation shall become paragraph (1);

(b) in paragraph (1) for sub-paragraph (a)(ii) substitute—

“(ii) the scheme ceased to be a contracted-out scheme in the 12-month period ending on the second abolition date⁽²⁾, and the trustees of the scheme are seeking to reach an agreement with Her Majesty’s Revenue and Customs as to the scheme’s liabilities for guaranteed minimum pensions or section 5(2B) rights of members through the scheme reconciliation service but such agreement has not yet been reached;”.

(c) after paragraph (1) add—

“(2) In this regulation, “scheme reconciliation service” means the service set up by HMRC which allows schemes to compare the scheme’s records of members who have been contracted-out, and the value of members’ guaranteed minimum pensions, with HMRC’s records of the same, with a view to removing any errors in the scheme’s or HMRC’s records.”.

Amendment of the Pension Sharing (Implementation and Discharge of Liability) Regulations

28.—(1) The Pension Sharing (Implementation and Discharge of Liability) Regulations (Northern Ireland) 2000 are amended in accordance with paragraphs (2) and (3).

(2) In regulation 1(2) (interpretation)—

(a) after the definition of “contracted-out⁽³⁾” insert—

(1) S.R. 1996 No. 619; regulation 13(a)(ii) was substituted by Article 7 of this Order

(2) See section 3A of the Pension Schemes (Northern Ireland) Act 1993 as inserted by paragraph 6 of Schedule 13 to the Pensions Act (Northern Ireland) 2015

(3) The definition of “contracted-out” is inserted by Article 16(2)(a) of this Order

““guaranteed minimum pension” has the meaning given in section 4(2)(4) (meaning of “contracted-out employment”, “guaranteed minimum pension” and “minimum payment”);

“HMRC” means the Commissioners for Her Majesty’s Revenue and Customs;”;

(b) after the definition of “Regulatory Authority”(5) insert—

““scheme reconciliation service” means the service set up by HMRC which allows schemes to compare the scheme’s records of members who have been contracted-out, and the value of members’ guaranteed minimum pensions, with HMRC’s records of the same, with a view to removing any errors in the scheme’s or HMRC’s records;

“the second abolition date” has the meaning given in section 176(1);”.

(3) In regulation 3(a) (circumstances in which an application for an extension of the implementation period may be made) for sub-paragraph (ii)(6) substitute—

“(ii) the scheme ceased to be a contracted-out scheme in the 12-month period ending on the second abolition date, and the trustees or managers of the scheme are seeking to reach an agreement with HMRC as to the scheme’s liabilities for guaranteed minimum pensions or section 5(2B) rights of members through the scheme reconciliation service but such agreement has not yet been reached;”.

Amendment of the Pension Sharing (Pension Credit Benefit) Regulations

29.—(1) The Pension Sharing (Pension Credit Benefit) Regulations (Northern Ireland) 2000 are amended in accordance with paragraph (2).

(2) In regulation 26 (extension of time limits for payment of cash equivalents)—

(a) the provisions of the regulation shall become paragraph (1);

(b) in paragraph (1) for sub-paragraph (a)(ii)(7) substitute—

“(ii) the scheme ceased to be a contracted-out scheme in the 12 month period ending on the second abolition date, and the trustees or managers have not yet reached an agreement with Her Majesty’s Revenue and Customs (HMRC) as to the scheme’s liabilities for guaranteed minimum pensions or section 5(2B) rights;”.

(c) after paragraph (1) add—

“(2) In this regulation—

“scheme reconciliation service” means the service set up by HMRC which allows schemes to compare the scheme’s records of members who have been contracted-out, and the value of members’ guaranteed minimum pensions, with HMRC’s records of the same, with a view to removing any errors in the scheme’s or HMRC’s records;

“section 5(2B) rights” has the meaning given in regulation 2(1) of the Occupational Pension Schemes (Schemes that were Contracted-out) Regulations (Northern Ireland) 2016(8).”.

(4) Section 4(2) was amended by paragraph 7(4) of Schedule 13 to the Pensions Act (Northern Ireland) 2015

(5) The definition of “Regulatory Authority” was amended by regulation 13 of [S.R. 2009 No. 115](#)

(6) Regulation 3(a)(ii) is substituted by Article 16(3) of this Order

(7) Sub-paragraph (a)(ii) is substituted by Article 17(3) of this Order

(8) [S.R. 2016 No. 107](#)

Amendment of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations

30. In Schedule 2 to the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014⁽⁹⁾ (basic information) omit paragraph 12.

⁽⁹⁾ [S.R. 2014 No. 79](#) to which there are amendments not relevant to this Order