
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 165

The Pension Protection Fund and Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2016

PART 3

Pension Protection Fund amendments

Amendment of the Pension Protection Fund (Compensation) Regulations

4.—(1) The Pension Protection Fund (Compensation) Regulations (Northern Ireland) 2005⁽¹⁾ are amended in accordance with paragraphs (2) to (6).

(2) In regulation 1(2) (interpretation) for the definition of “PPF trivial commutation lump sum”⁽²⁾ substitute—

““PPF trivial commutation lump sum” has the meaning given in regulation 18(2)⁽³⁾ (circumstances in which the portion of compensation to be commuted may exceed 25 per cent);”.

(3) In regulation 2(2) (circumstances where a person shall be entitled to early payment of compensation) for sub-paragraph (b)⁽⁴⁾ substitute—

“(b) that on the date on which the compensation is to become payable early the person has attained—

(i) except in a case to which head (ii) applies, normal minimum pension age as defined in section 279(1) of the 2004 Act;

(ii) in a case where the person has a protected pension age of less than 50 by virtue of paragraph 22 of Schedule 36 to the 2004 Act⁽⁵⁾ (rights to take benefit before normal minimum pension age), the age of 50.”.

(4) In regulation 17⁽⁶⁾ (commutation of periodic compensation)—

(a) in paragraph (1) for “paragraphs (2) and (3)” substitute “paragraph (2)”;

(b) omit paragraph (3).

(5) In regulation 23(3)⁽⁷⁾ (cash balance schemes: modification of Schedule 6), for “In this regulation” substitute “In this Part”.

(1) [S.R. 2005 No. 149](#); relevant amending Regulations are [S.R. 2006 No. 155](#), [S.R. 2010 No. 80](#) and [S.R. 2014 No. 204](#)

(2) The definition of “PPF trivial commutation lump sum” was inserted by regulation 22(2) of [S.R. 2006 No. 155](#); there are other amendments to regulation 1(2) but none is relevant

(3) Regulation 18 was substituted by regulation 22(4) of [S.R. 2006 No. 155](#)

(4) Sub-paragraph (b) was substituted by regulation 4(2)(a) of [S.R. 2010 No. 80](#)

(5) Paragraph 22 was amended by paragraphs 54 and 55 of Schedule 10 to the Finance Act 2005 (c. 7), paragraph 43 of Schedule 23 to the Finance Act 2006 (c. 25), paragraph 432 of Schedule 1 to the Corporation Tax Act 2010 (c. 4) and paragraph 7 of Schedule 5 to the Finance Act 2014 (c. 26)

(6) Paragraph (1) was amended and paragraph (3) was added by regulation 22(3) of [S.R. 2006 No. 155](#)

(7) Paragraph (3) was inserted by regulation 59(4)(d) of [S.R. 2014 No. 204](#)

(6) In Part 10 after regulation 23 insert—

“Cash balance schemes: modification of Schedule 6

23A.—(1) In its application to a cash balance scheme, paragraph 37 of Schedule 6 applies as if, after sub-paragraph (4) there were inserted—

“(5) In this Schedule references to a lump sum to which a person is entitled, or which a person has been paid, by reason of commuting part of a pension under the scheme include any lump sum to which the person is entitled, or which the person has been paid, by reason of opting to receive a lump sum instead of a pension, or part of a pension, in respect of cash balance benefits under the scheme.”

(2) In its application to a cash balance scheme other than a scheme to which regulation 23 applies, paragraph 37(1) of Schedule 6 applies as if, before the definition of “deferred member” there were inserted—

““cash balance benefit” has the meaning given by regulation 2 of the Pensions (2012 Act) (Transitional, Consequential and Supplementary Provisions) Regulations (Northern Ireland) 2014⁽⁸⁾.””