

SCHEDULE 1

Article 2(a)

PROPOSED ALTERATIONS TO EXISTING AGREEMENTS

1. Subject to paragraphs 3 and 4 of this Schedule, where in the agreements set out in the Schedules to the Orders in Council and Orders made by the Secretary of State specified in Schedule 2 there are references to a retirement pension, an old age pension, a pension for old age, a basic retirement pension or a basic old age pension (or any equivalent terms) under the legislation of the United Kingdom, such references shall be altered to include a reference to a state pension under Part 1 (state pension) of the Pensions Act (Northern Ireland) 2015.

2. Where in the agreements set out in the Schedules to the Orders in Council and Orders made by the Secretary of State specified in Schedule 2 to this Order, there are references to—

- (a) the legislation to which the agreements apply, such references shall be altered to include a reference to Part 1 of the Pensions Act (Northern Ireland) 2015;
- (b) any increase in the rate of a United Kingdom pension payable while in the territory of the other Party, such references shall be altered to include any increase in the rate of state pension under Part 1 of the Pensions Act (Northern Ireland) 2015.

3. Where in the agreements set out in the Schedules to the Orders in Council and Orders made by the Secretary of State specified in Schedule 2 to this Order there are references to a person—

- (a) who is entitled to an old age pension or basic retirement pension (or any equivalent terms) under the legislation of the United Kingdom otherwise than by virtue of the provisions of those agreements providing for the determination of entitlement to such pension, those references shall be altered to include a reference to a state pension under section 2 (entitlement to state pension at full or reduced rate) or 4 (entitlement to state pension at transitional rate) of the Pensions Act (Northern Ireland) 2015;
- (b) who is entitled to a category B retirement pension under the legislation of the United Kingdom being also entitled to have any category A retirement pension entitlement calculated in accordance with any provision in the agreements providing for the determination of such entitlement—
 - (i) those references to a category B retirement pension shall be altered to include a reference to a state pension under Part 1 of the Pensions Act (Northern Ireland) 2015 other than a state pension under section 2 or 4 of the Pensions Act (Northern Ireland) 2015; and
 - (ii) those references to a category A retirement pension shall be altered to include a reference to a state pension under section 2 or 4 of the Pensions Act (Northern Ireland) 2015.

4. Where in the agreements set out in the Schedules to the Orders in Council and Orders made by the Secretary of State specified in Schedule 2 to this Order, there are provisions for the determination of entitlement to an old age pension or basic retirement pension (or any equivalent terms), those provisions shall be altered so that they apply for the purposes of entitlement to a state pension under section 2 or 4 of the Pensions Act (Northern Ireland) 2015 in the following way—

- (a) the United Kingdom shall take account of contribution periods or equivalent periods completed by a person under the legislation of the other Party or Parties only for the purpose of determining whether that person has the minimum number of qualifying years for entitlement to a state pension under section 2 or 4 of the Pensions Act (Northern Ireland) 2015;
- (b) the United Kingdom shall pay to a person an amount of state pension under section 2 or 4 of the Pensions Act (Northern Ireland) 2015 based only on the contributions paid, credited or treated as paid under its legislation.