

2017 No. 63

PENSIONS

The Pensions Increase (Modification) Regulations (Northern Ireland) 2017

Made - - - - - *16th March 2017*

Coming into operation - - - - - *9th April 2017*

The Department of Finance, being satisfied that it is proper so to do, in exercise of the power conferred by sections 5(3) of the Pensions (Increase) Act (Northern Ireland) 1971(a) and now vested in it(b), makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Pensions Increase (Modification) Regulations (Northern Ireland) 2017, and shall come into operation on 9th April 2017.

Interpretation

2. In these Regulations, “the 1975 Order” means the Social Security Pensions (Northern Ireland) Order 1975(c).

Pension increases: annual rate and lump sums

3.—(1) The provisions of Article 69 of the 1975 Order(d) shall apply in relation to an official pension subject to the following modification.

(2) “Base period”, in relation to the direction mentioned in Article 69(1) of the 1975 Order and coming into force on 10th April 2017(e), means the period beginning on 11th April 2016 and ending with the 10th April 2017.

Sealed with the Official Seal of the Department of Finance on 16th March 2017

(a) 1971 c35 (N.I.); s.5(3) was amended by the Social Security Pensions (Northern Ireland) Order 1975 SI 1975/1503 (N.I.15) Sch.5 (para.16)
(b) By virtue of Article 4 of The Departments (NI) Order 1982 (S.I. 1982/338, (N.I.6)), as amended by S.R. 2016 No.76.
(c) S.I. 1975/1503 (N.I. 15)
(d) By virtue of article 69(7), as amended by the Social Security (Northern Ireland) Order 1979, article 10, section 69 and section 69(A) of the 1975 Order have effect as if section 69 and 69(A) were contained in Part 1 of the Pensions (Increase) Act (Northern Ireland) 1971.
(e) This direction is contained in S.R. 2017 No. 56



Emer Morelli
A senior officer of the
Department of Finance

EXPLANATORY NOTE

(This note is not part of the Order)

Under Article 69 of the Social Security Pensions (Northern Ireland) Order 1975 as amended, and as modified by Article 69A of that Order, the Department of Finance is required to provide by order for the increase in the rates of public service pensions. The increase is the percentage by which the Department for Communities has, by direction given under the provisions of section 132(1) of the Social Security Administration (Northern Ireland) Act 1992, increased the sums referred to in section 132 of that Act. These are the sums which are the additional pensions in long term benefits, namely the additional pension entitlements accruing to employees in respect of earnings after 5th April 1978.

Where the pension began since the last direction given by the Department for Communities the increase is a fraction of the percentage provided for in the latest direction. This usually means that pensions, which have been in payment for less than a year, get a proportionate fraction of the increase. However there was no direction in 2016. Accordingly the provisions of the 1975 Order would require all pensions, which began from the date of the direction in 2015 (6th April 2015) to the date of the 2017 direction (10th April 2017), to receive a proportionate fraction of the increase. The modification in regulation 3 of these Regulations restores the usual position so that pensions beginning before 11th April 2016 will receive the full increase (1%) and only those pensions beginning on or after 11th April 2016 (but before 10th April 2017) will get a proportionate fraction of the increase.

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