

SCHEDULES

SCHEDULE 9

DEFERRAL OF RETIREMENT PENSIONS AND SHARED ADDITIONAL PENSIONS

PART 2

CONSEQUENTIAL AMENDMENTS

The Contributions and Benefits Act

- 15.** The Contributions and Benefits Act is amended as follows.
- 16.** In section 62(1) (graduated retirement benefit)—
- (a) in paragraph (a), for “paragraphs 1 to 3” substitute “paragraphs A1 to 3B and 7C”, and
 - (b) after paragraph (b) insert—
 - “(c) for amending that section in order to make provisions corresponding to those of paragraphs 3C, 4(1) and (1A) and 7A to 7C of Schedule 5 to this Act enabling a widowed person to elect to receive a lump sum, rather than an increase in the weekly rate of retirement pension, in respect of the graduated retirement benefit of his or her deceased spouse.”.
- 17.** In section 121(1) (interpretation of Parts I to VI)—
- (a) before the definition of “beneficiary” insert—
 - ““Bank of England base rate” means—
 - (a) the rate announced from time to time by the Monetary Policy Committee of the Bank of England as the official dealing rate, being the rate at which the Bank is willing to enter into transactions for providing short term liquidity in the money markets, or
 - (b) where an order under section 19 of the Bank of England Act 1998 is in force, any equivalent rate determined by the Treasury under that section;”;
 - (b) for the definitions of “deferred” and “period of deferment” substitute—
 - ““deferred” and “period of deferment”—
 - (a) in relation to a Category A or Category B retirement pension, have the meanings given by section 55(3), and
 - (b) in relation to a shared additional pension, have the meanings given by section 55C(3);”.

The 1999 Order

- 18.** The 1999 Order is amended as follows.
- 19.** In Article 47, omit paragraph (2) (which amends provisions relating to the deferment of shared additional pensions and is superseded by Part 1 of this Schedule).

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Pensions (Northern Ireland) Order 2005 No. 255*

20. In Article 49(2) (power to make regulations preserving rights in respect of additional pensions), in sub-paragraph (b)—

- (a) after “increase of pension” insert “or payment of lump sum”, and
- (b) after “constituent element of an increase” insert “or of a lump sum”.