



# Pensions (Increase) Act (Northern Ireland) 1971

## 1971 CHAPTER 35

### PART I <sup>F1</sup>

#### GENERAL PROVISIONS

#### 8 Meaning of “pension”, and other supplementary provisions.

- (1) For purposes of this Act “pension” includes (subject to section 9)—
- (a) any allowance or other benefit payable<sup>F1</sup> . . . by virtue of any superannuation scheme, whether contained in an enactment or otherwise, including a superannuation scheme providing benefits in the case of injury or death; and
  - (b) any compensation payable in respect of retirement from an office or employment in pursuance of the provisions of an enactment, any compensation payable in respect of the loss, abolition or relinquishment of an office or employment occasioned by an alteration in the organisation of a department or service or by a transfer or other reorganisation of the functions of local authorities, and any compensation payable in respect of a diminution in the emoluments of an office or employment which has been occasioned as aforesaid [<sup>F2</sup>; and
  - (c) without prejudice to the generality of paragraph ( b), any compensation payable in pursuance of the provisions of a scheme under Article 3 of the Superannuation (Northern Ireland) Order 1972 made by virtue of Article 4(2) of that Order or of regulations made under Article 19 thereof][<sup>F3</sup> but does not include any money purchase benefits].
- (2) A pension[<sup>F1</sup> which is not attributable to a pension credit] shall be deemed for purposes of this Act to begin on the day following the last day of the service in respect of which the pension is payable (whenever the pension accrues or becomes payable), except that—
- (a <sup>F4</sup> an earnings-related pension based, directly or indirectly, on emoluments received for a period not ending with the last day of that service, other than

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**Changes to legislation:** There are currently no known outstanding effects for the Pensions (Increase) Act (Northern Ireland) 1971, Section 8. (See end of Document for details)

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- a substituted pension, is to be deemed to begin on the day following the last day of that period; and
- (b) a substituted pension is to be deemed to begin on the same day as the original pension, or, if earlier, on the day from which the surrender of the original pension takes effect; and
- [<sup>F3</sup>(bb) a relevant injury pension payable by virtue of the acceptance of less favourable terms and conditions of employment is to be deemed to begin on the day on which the employment on less favourable terms and conditions begins; and]
- (c) a pension payable under section 1 of the Ministerial Offices Act (Northern Ireland) 1952 is to be deemed to have begun on 1st April 1965.
- [<sup>F1</sup>(2A) A pension which is attributable to a pension credit shall be deemed for purposes of this Act to begin on the day on which the order or provision on which the credit depends takes effect.]
- (3) Where an earnings-related pension beginning before the year 1969 may be payable either at a rate fixed, directly or indirectly, by reference to emoluments or at a flat rate, the 1969 standard and, if relevant, the 1971 rate of the pension according to either of its rates shall be determined without regard to the other.

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| <b>F1</b> | <a href="#">1999 NI 11</a> |
| <b>F2</b> | <a href="#">1972 NI 10</a> |
| <b>F3</b> | <a href="#">1990 NI 13</a> |
| <b>F4</b> | SR 1977/260                |

**Changes to legislation:**

There are currently no known outstanding effects for the Pensions (Increase) Act (Northern Ireland) 1971, Section 8.