

*These notes refer to the Superannuation Act (Northern Ireland)
2013 (c.1) which received Royal Assent on 9 January 2013*

Superannuation Act (Northern Ireland) 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 1: Consents required for civil service compensation scheme modifications.

This section removes the requirement in Article 4 of the Superannuation (Northern Ireland) Order 1972 to obtain the consent of civil service trade unions for reductions in benefits provided under the Civil Service Compensation Scheme (Northern Ireland). The removal of this requirement does not apply to benefits provided in respect of an exit which is the consequence of a notice of dismissal given, or an agreement made, before the scheme making the reductions comes into effect. (See subsections (1) to (3)).

Subsection (4) provides that the removal of the requirement for trade union consent applies to reductions given effect by a scheme made after the coming into force of [section 1](#).

Subsections (5) and (6) provide that where a scheme under Article 3 of the Superannuation (Northern Ireland) Order 1972 is made after the time when this section comes into force and consultation on the proposed scheme took place before that time, the fact that the amendments made by this section were not in force when the consultation took place does not affect whether the consultation met the requirements of Article 3(2) of that Order. In other words, that consultation is not to be regarded as ineffective just because the amendments were not yet the law when it took place.

Section 2: Consultation in relation to civil service compensation scheme modifications.

This section augments the requirement on the Department of Finance and Personnel to carry out consultation with the civil service trade unions, through amendment of Article 4 of the Superannuation (Northern Ireland) Order 1972. It also subjects any scheme, which would have the effect of reducing the amount of a compensation benefit, to negative resolution.

Subsection (2) has the effect of requiring the Department of Finance and Personnel to consult with a view to reaching agreement on any provision

of a scheme made under Article 3 of the 1972 Order that would reduce the amount of a compensation benefit. ('Compensation benefit' is defined in the new Article 4(3B) of the 1972 Order inserted by [section 1\(3\)](#)).

Subsection (3) introduces a requirement for the Department of Finance and Personnel to lay before the Assembly a report on the consultation relating to such a provision before the scheme comes into operation, and specifies what that report must include. It also subjects any such scheme to the negative resolution Assembly control procedure.

Subsection (4) provides that the changes made by [section 2](#) in relation to consultation apply to reductions given effect by a scheme made after the coming into force of [section 2](#).

[Section 3: Interpretation](#)

This section states that in the Act "the 1972 Order" means the Superannuation (Northern Ireland) Order 1972.

[Section 4: Short title and commencement](#)

This section sets out the title of the Act and when the provisions of the Act come into force.