

*These notes refer to the Pensions Act (Northern Ireland)
2008 (c.1) which received Royal Assent on 11 February 2008*

Pensions Act (Northern Ireland) 2008

EXPLANATORY NOTES

SCHEDULES

Schedule 4 - Abolition of contracting-out for defined contribution pension schemes

Part 2

The intention is that the amendments in this Part are to be brought into operation at a date later than the abolition date to ensure that the existing statutory mechanisms for HMRC to deal with administrative matters concerning the contracted-out rebate and certification of schemes etc. can remain in place until any matters outstanding at the date of abolition of COMPS and APPS have been dealt with before the amendments are brought into operation.

The Contributions and Benefits Act

Paragraphs 41 and 44 amend section 4C and Schedule 1 respectively to reflect the abolition of COMPS and APPS.

Paragraphs 42 and 43 amend sections 8 and 9 respectively to remove references to section 38A of the Pension Schemes Act which is being repealed.

The Pension Schemes Act

Paragraph 46 omits section 4(3) which allows for regulations to be made in relation to the manner in which minimum payments are to be made etc. Minimum payments derive from the contracted-out rebate and are paid to a COMPS in respect of earners in contracted-out employment.

Paragraph 47 amends section 16(3) to omit a reference to sections that are being repealed.

Paragraph 48 omits section 27 which currently provides for the investment and resources of schemes.

Paragraph 49 omits section 36(b), which currently provides for contributions to be paid by HMRC in respect of earners who are members of COMPS and APPS.

Paragraph 50 omits section 38A, which provides for the calculation of national insurance rebates in respect of contracted-out employment in a COMP.

Paragraph 51 omits section 39, which provides for HMRC to make minimum contributions to an APP which is an earner's chosen scheme.

Paragraph 52 omits section 41, which provides for the calculation of minimum contributions.

Paragraph 53 omits section 41B, which provides a power to make regulations dealing with the verification of ages for the purpose of determining "appropriate age-related percentages", and provides a power to disclose information in connection with contracted-out rebates.

Paragraphs 54, 55 and 56 amend sections 46, 160 and 172 respectively to reflect the repeal of sections 38A, 39 and 41.

Paragraph 57 omits the definition of "minimum contributions" in section 176(1) and a reference to section 39 in section 176(4). Minimum contributions are made to APPS, and will therefore no longer be required.

Paragraph 59 amends Schedule 3 to reflect the fact that COMPS will no longer exist.