



2014 CHAPTER 2

General

General interpretation

34. In this Act—

“the affirmative procedure” has the meaning given in section 35;

“body” includes an unincorporated body or organisation of persons (for example, a committee or board of trustees);

“career average revalued earnings scheme” has the meaning given in section 8(4);

“civil servants” has the meaning given in Schedule 1;

“compensation benefits” means benefits by way of compensation for loss of office or employment;

“connected”, in relation to a scheme under section 1 and another statutory pension scheme, or a new public body pension scheme and another statutory pension scheme, has the meaning given by section 4(6);

“defined benefits scheme”: a pension scheme is a “defined benefits scheme” if or to the extent that the benefits that may be provided under the scheme are not money purchase benefits (within the meaning of the Pension Schemes (Northern Ireland) Act 1993) or injury and compensation benefits;

“defined contributions scheme”: a pension scheme is a “defined contributions scheme” if or to the extent that the benefits that may be provided under the scheme are money purchase benefits (within the meaning of the Pension Schemes (Northern Ireland) Act 1993);

“deferred pension age” has the meaning given in section 10(10);

“earnings” includes any remuneration or profit derived from an employment;

“employer”, in relation to a pension scheme, means—

- (a) any employer of persons to whom the scheme relates,
- (b) the person responsible for the remuneration of an office-holder to whom the scheme relates, or
- (c) such other persons (in addition to, or instead of, any person falling within paragraph (a) or (b)) as scheme regulations or (in the case of a public body pension scheme) the rules of the scheme may provide;

“existing scheme” has the meaning given in section 18(2);

“final salary”, in relation to a person to or in respect of whom a pension under a pension scheme is payable, means the person’s pensionable earnings, or highest, average or representative pensionable earnings, in a specified period ending at, or defined by reference to, the time when the person’s pensionable service in relation to that scheme terminates;

“final salary scheme”: a pension scheme is a “final salary scheme” if entitlement to the pension payable to or in respect of a person which is based on the pensionable service of that person is or may be determined to any extent by reference to the person’s final salary;

“fire and rescue workers” has the meaning given in Schedule 1;

“holders of judicial office” has the meaning given in Schedule 1;

“injury benefits” means benefits by way of compensation for incapacity or death as a result of injury or illness;

“injury or compensation scheme”: a pension scheme is an “injury or compensation scheme” if it provides only for injury or compensation benefits (or both);

“health service workers” has the meaning given in Schedule 1;

“legislation” means primary or secondary legislation;

“local government workers” has the meaning given in Schedule 1;

“members of the police service” has the meaning given in Schedule 1;

“normal pension age” has the meaning given in section 10(10);

“pension board” has the meaning given in section 5(8);

“pension scheme” means a scheme for the payment of pensions or other benefits to or in respect of persons with service of a particular description;

“pensionable earnings”, in relation to a pension scheme and a member of it, means earnings by reference to which a pension or other benefits under the scheme are calculated;

“pensionable service”, in relation to a pension scheme, means service which qualifies a person to a pension or other benefits under that scheme;

“primary legislation” means Northern Ireland legislation or any provision of an Act of Parliament of the United Kingdom that would be within the legislative competence of the Assembly were that provision contained in an Act of the Assembly;

“public authority” means—

- (a) a statutory body or the holder of a statutory office, or
- (b) a person exercising a statutory function;

“public body pension scheme” and “new public body pension scheme” have the meanings given in section 31(4);

“responsible authority”, in relation to a scheme under section 1, has the meaning given by section 2(2);

“scheme” includes arrangements of any description;

“scheme advisory board” has the meaning given in section 7(6);

“scheme manager”, in relation to a scheme under section 1, has the meaning given in section 4(2);

“scheme regulations” has the meaning given in section 1(4);

“secondary legislation” means an instrument made under primary legislation;

“staff”, in relation to a body, includes any employee or officer of the body;

“state pension age” has the meaning given in section 10(10);

“statutory body” and “statutory office” mean a body or office established under any legislation;

“statutory function” means a function conferred by any legislation;

“statutory pension scheme” means—

- (a) a pension scheme which is established by or under any legislation, and
- (b) a public body pension scheme which is not so established;

“the Superannuation Order” means the Superannuation (Northern Ireland) Order 1972;

“teachers” has the meaning given in Schedule 1.

Regulations, orders and directions

35.—(1) In this Act, “the affirmative procedure” means, in relation to regulations or an order, that the regulations or order may not be made unless a draft of the statutory rule containing them or it has been laid before, and approved by resolution of, the Assembly.

(2) Directions given under this Act by the Department of Finance and Personnel may be varied or revoked.