



## 2014 CHAPTER 2

### *Design*

#### **Pension age**

**10.—**(1) The normal pension age of a person under a scheme under section 1 must be—

- (a) the same as the person's state pension age, or
- (b) 65, if that is higher.

(2) Subsection (1) does not apply in relation to fire and rescue workers who are firefighters.

The normal pension age for such persons under a scheme under section 1 must be the age specified by the scheme regulations for the scheme; and such regulations may specify any age not exceeding 60, but not less than 55.

(3) Subsection (1) does not apply in relation to members of the police service.

The normal pension age for such persons under a scheme under section 1 must be 60.

(4) The deferred pension age of a person under a scheme under section 1 must be—

- (a) the same as the person's state pension age, or
- (b) 65, if that is higher.

(5) Where—

- (a) a person's state pension age changes, and
- (b) the person's normal or deferred pension age under a scheme under section 1 changes as a result of subsection (1) or (4),

*Status: Point in time view as at 28/04/2014.*

*Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act (Northern Ireland) 2014, Section 10. (See end of Document for details)*

the change to the person's normal or deferred pension age must under the scheme apply in relation to all the benefits (including benefits already accrued under the scheme) which may be paid to or in respect of the person under the scheme and to which the normal or deferred pension age is relevant.

(6) The Department of Finance and Personnel may by order, made in relation to persons under a scheme under section 1 who are persons of such description as is specified in the order, provide—

- (a) that subsections (1) and (4) do not apply in relation to such persons, and
- (b) that the normal pension age and the deferred pension age in relation to such persons is such age as the order may provide.

(7) Before making an order under subsection (6), the Department must consult such persons (or representatives of such persons) as appear to the Department likely to be affected by the order.

(8) An order under subsection (6) is subject to the affirmative procedure.

(9) The Department of Finance and Personnel must conduct a review at intervals of not less than every two years following commencement of section 10 as to how the provisions of this Act affect the persons set out in section 1(2) and shall lay a report of the review before the Assembly on or before six months following the commencement of the review.

(10) In this Act—

- (a) “normal pension age”, in relation to a person and a scheme, means the earliest age at which the person is entitled to receive benefits under the scheme (without actuarial adjustment) on leaving the service to which the scheme relates (and disregarding any special provision as to early payment of benefits on the grounds of ill-health or otherwise);
- (b) “deferred pension age”, in relation to a person and a scheme, means the earliest age at which the person is entitled to receive benefits under the scheme (without actuarial adjustment) after leaving the service to which the scheme relates at a time before normal pension age (and disregarding any special provision as to early payment of benefits on the grounds of ill-health or otherwise);
- (c) “state pension age”, in relation to a person, means the pensionable age of the person as specified from time to time in Part 1 of Schedule 2 to the Pensions (Northern Ireland) Order 1995.

#### **Commencement Information**

**II** S. 10 in operation at 28.4.2014 by S.R. 2014/123, art. 2(1)(f)

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