
Changes to legislation: *Pensions Act (Northern Ireland) 2015, Paragraph 12 is up to date with all changes known to be in force on or before 01 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 11

PENSION SHARING: AMENDMENTS

The Welfare Reform and Pensions (Northern Ireland) Order 1999 (NI 11)

12 After Article 46 insert—

“Creation of debits and credits: transferor in new state pension system and sharing activated on or after 6 April 2016

46A.—(1) This Article applies if—

- (a) the transferor is in the new state pension system, and
- (b) the transfer day is 6 April 2016 or any later date.

(2) Where this Article applies because of a relevant order or provision—

- (a) the transferor is subject, for the purposes of section 14 of the Pensions Act (Northern Ireland) 2015, to a debit of the shared weekly amount, and
- (b) the transferee is entitled, for the purposes of the relevant state pension legislation, to a credit of the shared weekly amount.

(3) The shared weekly amount is the specified percentage of the excess amount of the transferor's state pension under section 4 of the Pensions Act (Northern Ireland) 2015 as at the transfer day.

(4) For the purposes of calculating the shared weekly amount—

- (a) a transferor who is under pensionable age on the transfer day is to be treated as having reached pensionable age and to have become entitled to the state pension under section 4 of the Pensions Act (Northern Ireland) 2015 on the transfer day;
- (b) a transferor who has reached pensionable age on the transfer day but who has not yet become entitled to the state pension under section 4 of the Pensions Act (Northern Ireland) 2015 is to be treated as having become entitled to the pension on that day.

(5) In this Article—

“the excess amount” has the meaning given by Article 44(4);

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“relevant order or provision” means the order or provision by virtue of which this Article applies (see Article 45);

“the relevant state pension legislation”—

(a) in relation to a transferee in the old state pension system, means Part 2 of the Contributions and Benefits Act, and

(b) in relation to a transferee in the new state pension system, means Part 1 of the Pensions Act (Northern Ireland) 2015;

“specified percentage” means the percentage specified in the relevant order or provision for the purposes of paragraph (3);

“transfer day” means the day on which the relevant order or provision takes effect;

“transferor” means the person to whose rights the relevant order or provision relates;

“transferee” means the person for whose benefit the relevant order or provision is made.”.

Commencement Information

II Sch. 11 para. 12 in operation at 6.4.2016, see s. 53(1)(3)

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Changes and effects yet to be applied to :

- specified provision(s) transitional provisions for effects of commencing S.I. 2017/297, art. 2 by [S.R. 2017/58](#) Order