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STATUTORY INSTRUMENTS

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**1972 No. 1073**

**Superannuation (Northern Ireland) Order 1972**

Miscellaneous and supplemental

**Compensation for loss of office, etc.**

**19.**—(1) Subject to paragraph (2), the appropriate government department may, with the consent of the Ministry, by regulations provide for the payment by such person as may be prescribed by or determined under the regulations of pensions, allowances or gratuities by way of compensation to or in respect of the following persons, that is to say, persons—

- (a) in relation to whom regulations may be made under Article 9, 11 or 12; and
- (b) who suffer loss of office or employment, or loss or diminution of emoluments, in such circumstances, or by reason of the happening of such an event, as may be prescribed by the regulations.

[<sup>F1</sup>(1A) Paragraph (1) is subject to section 19 of the Public Service Pensions Act (Northern Ireland) 2014 (restrictions on benefits provided under existing schemes).]

(2) Regulations under this Article relating to persons in relation to whom regulations may be made under Article 9 may be made without the consent of the Ministry.

(3) Regulations under this Article may—

- (a) include provision as to the manner in which and the person to whom any claim for compensation is to be made, and for the determination of all questions arising under the regulations;
- (b) authorise the appropriate government department to make exceptions and conditions; and
- (c) be framed so as to have effect from a date earlier than the making of the regulations,

but so that regulations having effect from a date earlier than the date of their making shall not place any individual who is qualified to participate in the benefits for which the regulations provide in a worse position than he would have been in if the regulations had been so framed as to have effect only from the date of their making.

(4) Regulations under this Article may include all or any of the provisions referred to in paragraphs 8, 9 and 13 of Schedule 3.

(5) Regulations under this Article shall be subject to negative resolution.

(6) In this Article “the appropriate government department” in relation to regulations under this Article providing for the payment of compensation to or in respect of any persons means the department which, under Article 9, 11 or 12 has power to make regulations in relation to those persons.

**F1** [Art. 19\(1A\)](#) inserted (28.4.2014) by [Public Service Pensions Act \(Northern Ireland\) 2014 \(c. 2\)](#), s. 37(2), [Sch. 8 para. 15](#); S.R. 2014/123, art. 2(1)(r)

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**Status:** Point in time view as at 02/11/2020.

**Changes to legislation:** There are currently no known outstanding effects for the Superannuation (Northern Ireland) Order 1972, Miscellaneous and supplemental. (See end of Document for details)

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*Art. 22 repeals s.9 of 1950 c. 3 (NI)*

**Amendments, savings, transitional provisions and repeals**

*Para. (1), with Schedule 6, effects amendments*

(2) The savings and transitional provisions contained in Schedule 7 shall have effect.

*Para. (3), with Schedule 8, effects repeals*

**Status:**

Point in time view as at 02/11/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the Superannuation (Northern Ireland) Order 1972, Miscellaneous and supplemental.